





















EXHIBIT A

-  **Jason Greaves**  @JGreaves1787 · Dec 23, 2022
Replying to @EverettStern1
For those paying attention, you might notice that in exchange for Stern dropping his counterclaim, we offered him nothing. Stern called me with his hands out to see what Gen. Flynn would give him in exchange for dropping the counterclaim, and I said, we'll take an apology.
- 2 5 5 785
-
-  **Jason Greaves**  @JGreaves1787 · Jan 28
Replying to @EverettStern1 @jimstewartson and @GenFlynn
Or until your insurance carrier has to pay \$150k because they can't defend your crazy ass
- 1 43
-
-  **Jason Greaves**  @JGreaves1787 · Jan 28
Replying to @EverettStern1 and @jimstewartson
Vetting 🤔🤔🤔🤔
- 77
-
-  **Jason Greaves**  @JGreaves1787 · Jan 28
Replying to @EverettStern1
I know why Gen. Flynn sued you 🙄

-  **Jason Greaves**  @JGreaves1787 · Apr 28
Replying to @EverettStern1 and @EmoryUniversity
Ask me how I know you are a pathological liar.
3 1 26
-  **Jason Greaves**  @JGreaves1787 · Jan 25
Replying to @EverettStern1
Soooo, are you going to give the money back?
1 1 77
-  **Jason Greaves**  @JGreaves1787 · Jan 29
Replying to @EverettStern1
Even the J6 committee (the one that ran with the story about Trump trying to wrestle control of The Beast away from Secret Service) didn't give @EverettStern1 the time of day after hearing his story in a DC hotel room
3 1 170
-  **Jason Greaves**  @JGreaves1787 · Jan 25
Replying to @EverettStern1
No, you made up a bullshit story to LARP as a spy and hero, at the expense of a man who has done more to serve this country than you can even imagine.
-  **Jason Greaves**  @JGreaves1787 · Nov 15
Replying to @EverettStern1
Just like you were the "whistleblower" that led to the fine of HSBC? 🤔
2 1 111
-  **Jason Greaves**  @JGreaves1787 · Oct 20
Replying to @EverettStern1 and @RonFilipkowski
Frivolous lawsuits don't settle for \$150,000



Jesse R. Binnall

@jbinnall

Note to the left: the days of being free to impugn General Flynn's good character are over. Today, @GenFlynn settled his defamation lawsuit against Everett Stern for \$150K. From here forward, if you want to defame an American hero, have your checkbook ready.

1/2



Jason Greaves @JGreaves1787 · Dec 23, 2022

Replying to @EverettStern1

For those paying attention, you might notice that in exchange for Stern dropping his counterclaim, we offered him nothing. Stern called me with his hands out to see what Gen. Flynn would give him in exchange for dropping the counterclaim, and I said, we'll take an apology.



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Jason Greaves @JGreaves1787 · Jan 28

Replying to @EverettStern1 @jimstewartson and @GenFlynn

Or until your insurance carrier has to pay \$150k because they can't defend your crazy ass



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Jason Greaves @JGreaves1787 · Jan 28

Replying to @EverettStern1 and @jimstewartson

Vetting 🤔🤔🤔🤔



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Jason Greaves @JGreaves1787 · Jan 28

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I know why Gen. Flynn sued you 🙄

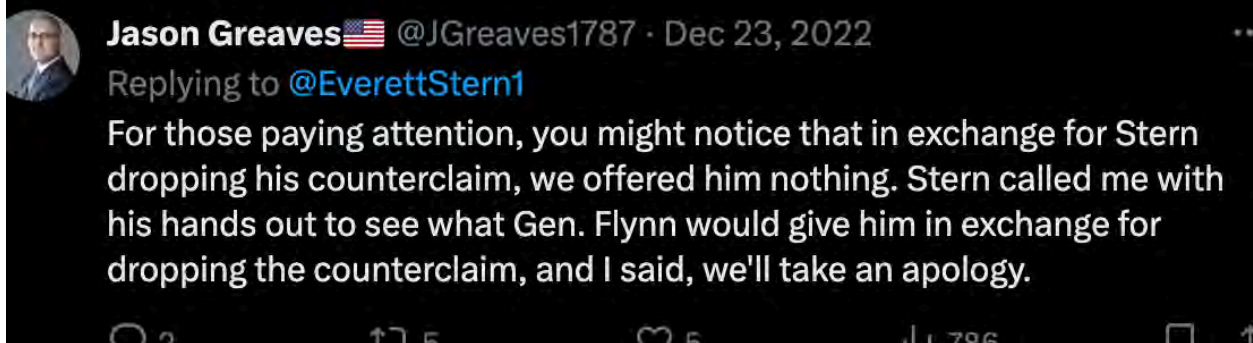
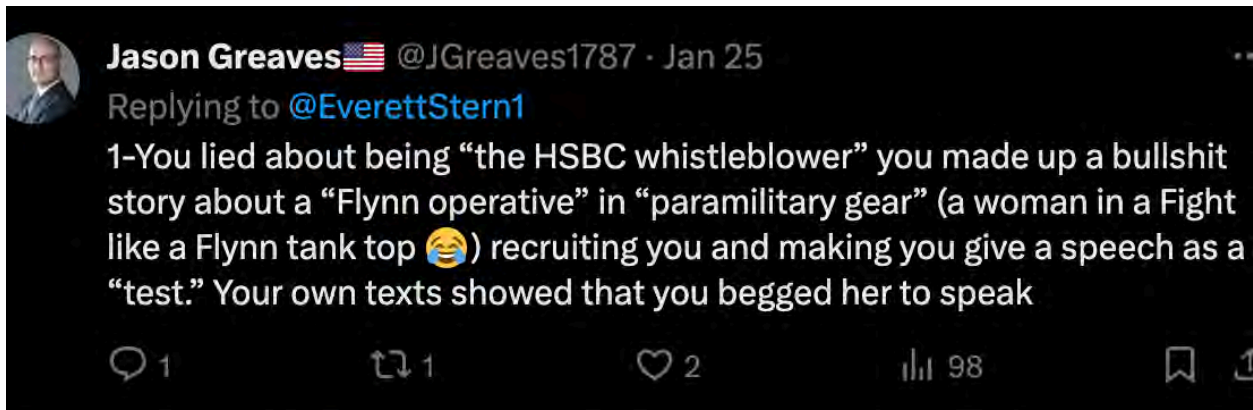
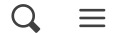


EXHIBIT B

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An African supermarket with a sinister side

Reuters

July 13, 2012 6:40 PM EDT · Updated 12 years ago



BANJUL, Gambia (Reuters) - The Kairaba Shopping Centre, a gleaming, glass-fronted two-story building in Gambia's Serrekunda beach resort, is the biggest supermarket in mainland Africa's smallest nation. Its clientele of wealthy locals, tourists and expat workers set it apart from the mom-and-pop stores and local markets where most ordinary Gambians shop.

But the U.S. Treasury Department sees something more sinister behind the façade of the supermarket and its twin at the nearby Kololi resort. The Kairaba chain and its Banjul-based parent company, Tajco Ltd., were placed under U.S. sanctions in December 2010 for allegedly forming part of a multinational network that investigators said generated millions of dollars for the Lebanese militant movement Hezbollah.

The United States designates Hezbollah "among the most dangerous terrorist groups in the world." The U.S. Treasury Department says Tajco and its ventures are controlled by Lebanese brothers Ali, Husayn and Kassim Tajideen, whom the department describes as being among Hezbollah's top financiers in Africa.

It is for these distinctions that the Karaiba and Tajco names set off alarms when Everett Stern, working last year with HSBC Holdings Plc's U.S. anti-money laundering operation in New Castle, Delaware, was sifting through piles of potentially suspicious transactions.

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Washington's December 2010 sanctions action targeted a network of businesses owned or controlled by the Tajideen brothers operating in Gambia, Lebanon, Sierra Leone, the Democratic Republic of Congo, and the British Virgin Islands.

"The food import and supermarket business is a specialty of theirs. It is a lucrative and cash-rich business which allows them to generate revenues, create smoke and mirrors, and launder money from other activities," said one U.S. intelligence source who monitors Gambia.

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Husayn Tajideen, who is identified by the U.S. Treasury as a co-owner of Tajco Ltd. in Banjul, is a prominent businessman and investor in Gambia. Efforts by Reuters to speak to Tajideen were unsuccessful.

Tajco Ltd. is also named in a December 2011 forfeiture action and civil money laundering complaint brought by U.S. prosecutors against the Lebanese Canadian Bank, or LCB. U.S. investigators identified the bank as "a financial institution of primary money laundering concern." In 2011, Societe Generale de Banque au Liban completed the acquisition of certain assets and liabilities of LCB.

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The 2011 case stems from an investigation by the U.S. Drug Enforcement Administration and other federal agencies of an alleged money laundering scheme involving Hezbollah members and supporters. U.S. officials say these parties transferred funds from Lebanon to the United States in order to buy used cars that were then shipped to West Africa and sold for cash. According to the complaint, cash proceeds of these car sales, drug trafficking and other activities were then transferred to Lebanon.

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The complaint alleges that LCB maintained a banking relationship with Matrix SAL Off-shore, a company controlled by Kassem Mohamad Ajami and Mohamad Ali Ezzedine, whom U.S. investigators describe as "business associates" of Tajco.

Reporting by Reuters in Dakar, Dino Mahtani in London and Pascal Fletcher in Johannesburg. Writing by Pascal Fletcher and Mark John. Editing by John Blanton.

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EXHIBIT C

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World

Special Report: Lapses persist at HSBC money-laundering watchdog

By Carrick Mollenkamp and Brett Wolf

July 13, 2012 9:00 PM EDT · Updated 12 years ago



[1/7] Former HSBC employee Everett Stern is pictured at his residence near Philadelphia, Pennsylvania July 13, 2012. Stern says that when he alerted his bosses to suspicious dealings by HSBC clients, his... [Acquire Licensing Rights](#) [Read more](#)



By Carrick Mollenkamp and Brett Wolf

NEW YORK (Reuters) - Executives of HSBC Holdings Plc and its U.S. subsidiary are scheduled to testify Tuesday before a Senate panel about how the London-based banking behemoth, after years of run-ins with U.S. authorities over alleged anti-money laundering lapses, has cleaned up its act.

In anticipation of the hearing, HSBC Chief Executive Stuart Gulliver sent a message to employees earlier this week: "Between 2004 and 2010, our anti-money laundering controls should have been stronger and more effective, and we failed to spot and deal with unacceptable behavior," Gulliver wrote. "It is right that we are held accountable and that we take responsibility for fixing what went wrong."

Gulliver's memo implies that the bank's problems ended in 2010. But a Reuters investigation has found persistent and troubling lapses in the bank's anti-money laundering compliance since then.

Moreover, the problems arose in the very operation meant to show regulators that the bank could effectively monitor the trillions of dollars flowing annually through its offices in 80 countries and territories.

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In a sprawling, low-rise building abutting pasture land in New Castle, Delaware, HSBC's anti-money laundering staff review customer transactions and so-called alerts generated when the bank's monitoring systems spot a suspicious transaction. It also housed the "look-back" at thousands of old transactions that the U.S. Comptroller of the Currency ordered in 2010, after citing the bank for multiple anti-money laundering failures.

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Former employees in the New Castle office describe a febrile boiler-room environment overseen by managers uninterested in investigating transactions with possible links to drug trafficking, terrorist financing, Iran and other countries under U.S. sanctions, and other illegal activities. Instead, they say, the single-minded focus was on clearing out the paperwork as fast as possible.

"There were multiple backlogs" of alerts, said Everett Stern, who worked in the New Castle building from October 2010 to November 2011. "The name of the game was to close as many as you possibly can."

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Stern was a 26-year-old with a master of business administration degree when he joined HSBC as a compliance officer "to find suspicious activity," as he put it. Within months, he was named a department specialist in Middle Eastern transactions.

A NOVICE WATCHDOG

"I'm not an expert" in money laundering in the Middle East, Stern said. His appointment, he said, was symptomatic of larger disregard for investigative rigor in the office. "Anybody who submitted their name for something basically got approved for that specialty."

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Stern said that in the course of his work, he came across many suspicious transactions. Some involved parties he suspected of having ties to Hezbollah and Hamas - Islamist groups that the U.S. considers to be terrorist organizations. When he alerted his superiors to these dealings, he said, his concerns were dismissed.

At one point, Stern said, he decided to take action on transactions linked to Palestine that he and some of his colleagues had noticed.

Stern sent an email to two superiors with the subject line, "Compliance error." In the email, Stern wrote: "I believe investigators in the department are unknowingly making a major compliance error. Over the last couple of months investigators have approached me about cases in the Middle East, especially in Palestine.... It appears that most investigators do not understand that the government of Palestine is the terrorist organization Hamas."

One of the bosses, Jeff Kraft, an anti-money laundering compliance manager, came bursting out of his cubicle. "Are you out of your f----- mind?" he said, according to Stern's recollection. "I should fire you right now."

Kraft insisted that Hamas was not a terrorist organization and that if government officials saw the email, the New Castle office would be shut down, according to Stern.

Hamas, which governs the Gaza Strip of the Palestinian Territories, has been designated a terrorist organization by the U.S. since 1995.

Kraft could not be reached for comment.

Stern was part of the New Castle operation employing regular HSBC staff to monitor current transactions and tackle a backlog of alerts. A second section comprised a task force - largely staffed with former law-enforcement officials working under contract - that was conducting the look-back the OCC ordered in 2010, investigating transactions up to several years old.

'JUST A FACTORY'

Several of these contractors, echoing Stern, said the effort was more cosmetic than concrete. One said that when an investigator couldn't track down information on a counterparty to a particular transaction, the investigator was told to close the case even if it seemed suspect.

"I was extremely, extremely disappointed with the ethical part of how they were handling it," said one former task force contractor. "It was just a factory the way it was handled. There was a lot of pressure to get investigations closed."

The contractor added: "If Congress and the regulators actually knew what was going on, they would have a fit."

Another contractor said supervisors "wanted quantity, not quality."

In response to questions about the work at New Castle, HSBC spokesman Robert Sherman said: "The quality of work in Delaware has been and still is consistent with our high expectations. ... We have had and continue to have very high quality control and assurance procedures." Those procedures, he said, include regular reviews of the New Castle work by senior management and quality-assurance teams. A spokesman for the OCC, which ordered the look-back, declined to comment.

At Tuesday's hearing, the U.S. Senate Permanent Subcommittee on Investigations plans to deliver a withering review of problems at HSBC and transactions tied to Iran, terrorist financing and drug cartels, according to people familiar with a report the panel has drafted on its investigation.

Among those scheduled to testify is Stuart Levey, HSBC's London-based chief legal officer. Levey, a former top Treasury Department official skilled in terrorism finance, was hired in January in what was widely seen as a signal that the bank was serious about improving its anti-money laundering efforts.

The Senate investigation is only one of many in recent years to target HSBC's internal policing. In 2003, the Federal Reserve Bank of New York and New York state bank regulators ordered HSBC to better monitor suspect transactions. The Justice Department, the Federal Reserve, the OCC, the Manhattan district attorney and the Office of Foreign Assets Control have all been scrutinizing client activities and anti-money laundering compliance, the bank said in a May regulatory filing.

THE LOOK-BACK

On May 3, Reuters reported that U.S. Attorney offices in West Virginia and New York had been investigating the bank, and that the West Virginia probe had found widespread anti-money laundering problems, including a backlog of nearly 50,000 alerts of suspicious transactions.

In confidential documents reviewed by Reuters, a report on the investigations excoriated HSBC's anti-money laundering program for its "gullible, poorly trained, and otherwise incompetent personnel who were incapable of recognizing blatantly suspicious money laundering activities."

HSBC said in its May filing that it was likely to face criminal or civil charges related to the probes. People familiar with the situation said the Justice Department investigation could soon yield a fine that dwarfs the record \$619 million Dutch bank ING agreed in June to pay to settle similar accusations.

The New Castle look-back, overseen by consultants Deloitte LLP, was manned by more than 100 former law-enforcement officials, bank examiners and others. Many of them were working under contract with outside anti-money laundering consulting firms.

The gig paid well - between \$65 and \$125 an hour - and some contractors said they were making upwards of \$200,000 a year.

Typically - and in accordance with U.S. rules - banks use various computer-based systems to monitor transactions and trigger alerts on certain details - a high-risk country of origin, for example, or round dollar amounts. If the bank determines after further review that an alert warrants official scrutiny for potentially illegal activity, it files a suspicious activity report, or SAR, to U.S. authorities. If the bank determines that a SAR isn't necessary, the alert is deemed "cleared," and the case is closed.

In the HSBC look-back, one contractor said, many suspicious cases were "buried."

In one case, the contractor wanted to find out why 13 parties had wired a total of \$1.3 million into an HSBC account in Hong Kong on the same day. He said that when he asked a Deloitte supervisor to request that the Hong Kong office provide information about the customer, he was told that decision rested with the HSBC manager in charge of the account.

'RIGOROUS AND THOROUGH'

The information never was provided, and the same contractor said he was later fired for not clearing enough alerts.

The look-back team held brief weekly meetings at which Deloitte overseers ticked off how many cases had been cleared and complained about delays. Several contractors said that investigators deemed slow on the job were fired.

"Deloitte's work for HSBC was rigorous and thorough," spokesman Jonathan Gandal said via email. "We cannot further comment on confidential client matters."

Saskia Rietbroek, an anti-money laundering consultant at AML Services International in Miami who was not involved in the New Castle operation, said the regulatory framework for look-backs can give banks an incentive to shirk.

"The bank is ordered to find suspicious transactions that should have been reported. The more unreported transactions they find, the higher the fine," she said. "So, do you think they will dig and dig until they find everything? It is more likely going to be a cursory review. It is a conflict of interest."

On October 18, 2010, 12 days after the OCC ordered the look-back, Everett Stern reported for work as a compliance officer in New Castle. Assigned to a "target monitoring team," his task was to plow through wire transfers and identify any that were suspicious.

Employees were given 60 days to resolve alerts, either by closing the case, placing the transaction "on watch," or filing an SAR. Stern said colleagues would intentionally focus on alerts from countries considered low-risk, such as Canada or France.

POACHING THE EASY TASKS

Employees competed for those files. "People would come in early just to poach from you," Stern said. Anything that originated from Latvia, Estonia, Russia, the Middle East or other areas deemed high-risk, "you just didn't want it - major headache."

Stern said many of his colleagues were even less experienced and less prepared for the job than he was. Some had worked in the same building when it was an HSBC credit-card processing center, he said, and had been hired directly afterward to help out with anti-money laundering compliance.

Stern plunged in, tapping his proficiency in computers and spreadsheets to find ways to review transactions and investigate alerts. He ordered a couple of books to learn more about money laundering.

"They didn't like all this digging around," Stern said.

In December 2010, the Treasury Department announced that it was targeting a financial network tied to Hezbollah. HSBC's Levey, then the Treasury's undersecretary for terrorism and financial intelligence, said at the time that the network included brothers Ali and Husayn Tajideen. A third brother, Kassim Tajideen, is a financier for Hezbollah. The directive also cited two companies tied to the brothers: a trade and real estate concern called Tajco and an African grocery-store chain called Kairaba Supermarket.

CELEBRATORY LUNCH

Aware of that announcement, Stern in January 2011 double-checked to confirm that the names were in a filter designed to catch specific names and words associated with wire transfers. The names were in place, and it appeared that the bank had no transactions linked to Tajco or Karaiba.

But digging further, and employing a spreadsheet he had developed on his own, he found transactions involving Tajco and Kairaba. Then he found the reason they had been missed by the filter: It catches only correctly spelled names, and in these dealings, Tajco was spelled Tajc.o.

When he told his superiors, one asked, " 'How much time did you spend on the Excel analysis?' " Stern recalled. "I was not commended for my efforts."

In May 2011, Stern offered to design a template for producing uniform reports about alerts. The next morning, his superior said in an email reviewed by Reuters: "I appreciate the effort, like the product, however what I will say is this: I struggle with the fact you indicate (Everett) you spent the entire morning working on this. The only thing we should be focusing on right now is clearing alerts (productivity + quality = SARS)."

In July 2011, Stern's office marked a milestone: Thousands of transactions had been cleared. A catered lunch was served.

Stern's frustration with his job grew, and he left the bank in November 2011. "I came into this job with such energy," he said. "I was like a balloon that got popped. I was really excited for the job."

Reporting by Carrick Mollenkamp of Reuters and Brett Wolf of the Compliance Complete service of Thomson Reuters Accelus. Editing by John Blanton.

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EXHIBIT D



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POLITICS

Gangster Bankers: Too Big to Jail

How HSBC hooked up with drug traffickers and terrorists. And got away with it

BY MATT TAIBBI

FEBRUARY 14, 2013



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Justice Department granted a total walk to executives of the British-based bank HSBC for the largest drug-and-terrorism money-laundering case ever. Yes, they issued a fine – \$1.9 billion, or about five weeks’ profit – but they didn’t extract so much as one dollar or one day in jail from any individual, despite a decade of stupefying abuses.

People may have outrage fatigue about Wall Street, and more stories about billionaire greedheads getting away with more stealing often cease to amaze. But the HSBC case went miles beyond the usual paper-pushing, keypad-punching sort-of crime, committed by geeks in ties, normally associated with Wall Street. In this case, the bank literally got away with murder – well, aiding and abetting it, anyway.

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Daily Beast: HSBC Report Should Result in Prosecutions, Not Just Fines, Say Critics

For at least half a decade, the storied British colonial banking power helped to wash hundreds of millions of dollars for drug mobs, including Mexico’s Sinaloa drug cartel, suspected in tens of thousands of murders just in the past 10 years – people so totally evil, jokes former New York Attorney General Eliot Spitzer, that “they make the guys on Wall Street look good.” The bank also moved money for organizations linked to Al Qaeda and Hezbollah, and for Russian gangsters; helped countries like Iran, the Sudan and North Korea evade sanctions; and, in between helping murderers and terrorists and rogue states, aided countless common tax cheats in hiding their cash.

“They violated every goddamn law in the book,” says Jack Blum, an attorney and former Senate investigator who headed a major bribery investigation against Lockheed in the 1970s that led to the passage of the Foreign Corrupt Practices Act. “They took every imaginable form of illegal and illicit business.”

EDITOR’S PICKS

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That nobody from the bank went to jail or paid a dollar in individual fines is nothing new in this era of financial crisis. What is different about this settlement is that the Justice Department, for the first time, admitted why it decided to go soft on this particular kind of criminal. It was worried that anything more than a wrist slap for HSBC might undermine the world economy. “Had the U.S. authorities decided to press criminal charges,” said Assistant Attorney General Lanny Breuer at a press conference to announce the settlement, “HSBC would almost certainly have lost its banking license in the U.S., the future of the institution would have been under threat and the entire banking system would have been destabilized.”

It was the dawn of a new era. In the years just after 9/11, even being breathed on by a suspected terrorist could land you in extralegal detention for the rest of your life. But now, when you’re Too Big to Jail, you can cop to laundering terrorist cash and violating the Trading With the Enemy Act, and not only will you not be prosecuted for it, but the government will go out of its way to make sure you won’t lose your license. Some on the Hill put it to me this way: OK, fine, no jail time, but they can’t even pull their charter? Are you kidding?

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But the Justice Department wasn’t finished handing out Christmas goodies. A little over a week later, Breuer was back in front of the press, giving a cushy deal to another huge international firm, the Swiss bank UBS, which had just admitted to a key role in perhaps the biggest antitrust/price-fixing case in history, the so-called LIBOR scandal, a massive interest-raterigging conspiracy involving hundreds of trillions (“trillions,”

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“Our goal here,” Breuer said, “is not to destroy a major financial institution.”

A reporter at the UBS presser pointed out to Breuer that UBS had already been busted in 2009 in a major tax-evasion case, and asked a sensible question. “This is a bank that has broken the law before,” the reporter said. “So why not be tougher?”

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“I don’t know what tougher means,” answered the assistant attorney general.

Also known as the Hong Kong and Shanghai Banking Corporation, HSBC has always been associated with drugs. Founded in 1865, HSBC became the major commercial bank in colonial China after the conclusion of the Second Opium War. If you’re rusty in your history of Britain’s various wars of Imperial Rape, the Second Opium War was the one where Britain and other European powers basically slaughtered lots of Chinese people until they agreed to legalize the dope trade (much like they had done in the First Opium War, which ended in 1842).

A century and a half later, it appears not much has changed. With its strong on-the-ground presence in many of the various ex-colonial territories in Asia and Africa, and its rich history of cross-cultural moral flexibility, HSBC has a very different international footprint than other Too Big to Fail banks like Wells Fargo or Bank of America. While the American banking behemoths mainly gorged themselves on the toxic residential-mortgage trade that caused the 2008 financial bubble, HSBC took a

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bank's third strike. In fact, as a mortifying 334-page report issued by the Senate Permanent Subcommittee on Investigations last summer made plain, HSBC ignored a truly awesome quantity of official warnings.

In April 2003, with 9/11 still fresh in the minds of American regulators, the Federal Reserve sent HSBC's American subsidiary a cease-and-desist letter, ordering it to clean up its act and make a better effort to keep criminals and terrorists from opening accounts at its bank. One of the bank's bigger customers, for instance, was Saudi Arabia's Al Rajhi bank, which had been linked by the CIA and other government agencies to terrorism. According to a document cited in a Senate report, one of the bank's founders, Sulaiman bin Abdul Aziz Al Rajhi, was among 20 early financiers of Al Qaeda, a member of what Osama bin Laden himself apparently called the "Golden Chain." In 2003, the CIA wrote a confidential report about the bank, describing Al Rajhi as a "conduit for extremist finance." In the report, details of which leaked to the public by 2007, the agency noted that Sulaiman Al Rajhi consciously worked to help Islamic "charities" hide their true nature, ordering the bank's board to "explore financial instruments that would allow the bank's charitable contributions to avoid official Saudi scrutiny." (The bank has denied any role in financing extremists.)

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In January 2005, while under the cloud of its first double-secret-probation agreement with the U.S., HSBC decided to partially sever ties with Al Rajhi. Note the word "partially": The decision would only apply to Al Rajhi banking and not to its related trading company, a distinction that tickled executives inside the bank. In March 2005, Alan Ketley, a compliance officer for HSBC's American subsidiary, HBUS, gleefully told Paul Plessner, head of his bank's Global Foreign Exchange Department, that it was cool to do business with Al Rajhi Trading. "Looks like you're fine to continue dealing with Al Rajhi," he wrote. "You'd better be making lots of money!"

But this backdoor arrangement with bin Laden's suspected "Golden Chain" banker wasn't direct enough — many HSBC executives wanted the whole shebang restored. In a

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closeout and that chapter is hopefully finished, could we revisit Al Rajhi again? London compliance has taken a more lenient view.”

After being slapped with the order in 2003, HSBC began blowing off its requirements both in letter and in spirit – and on a mass scale, too. Instead of punishing the bank, though, the government’s response was to send it more angry letters. Typically, those came in the form of so-called “MRA” (Matters Requiring Attention) letters sent by the OCC. Most of these touched upon the same theme, i.e., HSBC failing to do due diligence on the shady characters who might be depositing money in its accounts or using its branches to wire money. HSBC racked up these “You’re Still Screwing Up and We Know It” orders by the dozen, and in just one brief stretch between 2005 and 2006, it received 30 different formal warnings.

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Nonetheless, in February 2006 the OCC under George Bush suddenly decided to release HSBC from the 2003 cease-and-desist order. In other words, HSBC basically violated its parole 30 times in just more than a year and got off anyway. The bank was, to use the street term, “off paper” – and free to let the Al Rajhis of the world come rushing back.

After HSBC fully restored its relationship with the apparently terrorist-friendly Al Rajhi Bank in Saudi Arabia, it supplied the bank with nearly 1 billion U.S. dollars. When asked by HSBC what it needed all its American cash for, Al Rajhi explained that people in Saudi Arabia need dollars for all sorts of reasons. “During summer time,” the bank wrote, “we have a high demand from tourists traveling for their vacations.”

The Treasury Department keeps a list compiled by the Office of Foreign Assets Control, or OFAC, and American banks are not supposed to do business with anyone on the OFAC list. But the bank knowingly helped banned individuals elude the sanctions process. One such individual was the powerful Syrian businessman Rami Makhlouf, a close confidant of the Assad family. When Makhlouf appeared on the OFAC list in

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Translation: We know the guy's on a terrorist list, but his accounts are in a place the Americans can't search, so screw them.

Remember, this was in 2008 – five years after HSBC had first been caught doing this sort of thing. And even four years after that, when being grilled by Michigan Sen. Carl Levin in July 2012, an HSBC executive refused to absolutely say that the bank would inform the government if Makhoul or another OFAC-listed name popped up in its system – saying only that it would “do everything we can.”

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The Senate exchange highlighted an extremely frustrating dynamic government investigators have had to face with Too Big to Jail megabanks: The same thing that makes them so attractive to shady customers – their ability to instantaneously move money around the world to places like the Cayman Islands and Switzerland – makes it easy for them to play dumb with regulators by hiding behind secrecy laws.

When it wasn't banking for shady Third World characters, HSBC was training its mental firepower on the problem of finding creative ways to allow it to do business with countries under U.S. sanction, particularly Iran. In one memo from HSBC's Middle East subsidiary, HBME, the bank notes that it could make a lot of money with Iran, provided it dealt with what it termed “difficulties” – you know, those pesky laws.

“It is anticipated that Iran will become a source of increasing income for the group going forward,” the memo says, “and if we are to achieve this goal we must adopt a positive stance when encountering difficulties.”

The “positive stance” included a technique called “stripping,” in which foreign subsidiaries like HSBC Middle East or HSBC Europe would remove references to Iran in wire transactions to and from the United States, often putting themselves in place of the actual client name to avoid triggering OFAC alerts. (In other words, the transaction would have HBME listed on one end, instead of an Iranian client.)

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subsidiary operations in every corner of the world. What's come out in this investigation is that the chiefs in the parent company often knew about shady transactions when the regional subsidiary did not. In the case of banned Iranian transactions, for instance, there are multiple e-mails from HSBC's compliance head, David Bagley, in which he admits that HSBC's American subsidiary probably has no clue that HSBC Europe has been sending it buttloads of banned Iranian money.

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"I am not sure that HBUS are aware of the fact that HBEU are already providing clearing facilities for four Iranian banks," he wrote in 2003. The following year, he made the same observation. "I suspect that HBUS are not aware that [Iranian] payments may be passing through them," he wrote.

What's the upside for a bank like HSBC to do business with banned individuals, crooks and so on? The answer is simple: "If you have clients who are interested in 'specialty services' – that's the euphemism for the bad stuff – you can charge 'em whatever you want," says former Senate investigator Blum. "The margin on laundered money for years has been roughly 20 percent."

Those charges might come in many forms, from upfront fees to promises to keep deposits at the bank for certain lengths of time. However you structure it, the possibilities for profit are enormous, provided you're willing to accept money from almost anywhere. HSBC, its roots in the raw battlefield capitalism of the old British colonies and its strong presence in Asia, Africa and the Middle East, had more access to customers needing "specialty services" than perhaps any other bank.

And it worked hard to satisfy those customers. In perhaps the pinnacle innovation in the history of sleazy banking practices, HSBC ran a preposterous offshore operation in Mexico that allowed anyone to walk into any HSBC Mexico branch and open a U.S.-dollar account (HSBC Mexico accounts had to be in pesos) via a so-called "Cayman Islands branch" of HSBC Mexico. The evidence suggests customers barely had to

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regulatory absurdity of HSBC Mexico's "Cayman Islands branch." The whole thing was a pure shell company, run by Mexicans in Mexican bank branches.

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At one point, this figment of the bank's corporate imagination had 50,000 clients, holding a total of \$2.1 billion in assets. In 2002, an internal audit found that 41 percent of reviewed accounts had incomplete client information. Six years later, an e-mail from a high-ranking HSBC employee noted that 15 percent of customers didn't even have a file. "How do you locate clients when you have no file?" complained the executive.

It wasn't until it was discovered that these accounts were being used to pay a U.S. company allegedly supplying aircraft to Mexican drug dealers that HSBC took action, and even then it closed only some of the "Cayman Islands branch" accounts. As late as 2012, when HSBC executives were being dragged before the U.S. Senate, the bank still had 20,000 such accounts worth some \$670 million – and under oath would only say that the bank was "in the process" of closing them.

Meanwhile, throughout all of this time, U.S. regulators kept examining HSBC. In an absurdist pattern that would continue through the 2000s, OCC examiners would conduct annual reviews, find the same disturbing shit they'd found for years, and then write about the bank's problems as though they were being discovered for the first time. From the 2006 annual OCC review: "During the year, we identified a number of areas lacking consistent, vigilant adherence to BSA/AML policies. . . . Management responded positively and initiated steps to correct weaknesses and improve conformance with bank policy. We will validate corrective action in the next examination cycle."

Translation: These guys are assholes, but they admit it, so it's cool and we won't do anything.

A year later, on July 24th, 2007, OCC had this to say: "During the past year, examiners

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Translation: They're still assholes, but we've alerted them to the problem and everything'll be cool.

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By then, HSBC's lax money-laundering controls had infected virtually the entire company. Russians identifying themselves as used-car salesmen were at one point depositing \$500,000 a day into HSBC, mainly through a bent traveler's-checks operation in Japan. The company's special banking program for foreign embassies was so completely fucked that it had suspicious-activity alerts backed up by the thousands. There is also strong evidence that the bank was allowing clients in Sudan, Cuba, Burma and North Korea to evade sanctions.

When one of the company's compliance chiefs, Carolyn Wind, raised concerns that she didn't have enough staff to monitor suspicious activities at a board meeting in 2007, she was fired. The sheer balls it took for the bank to ignore its compliance executives and continue taking money from so many different shady sources while ostensibly it had regulators swarming all over its every move is incredible. "You can't make up more egregious money-laundering that permeated an entire institution," says Spitzer.

By the late 2000s, other law enforcement agencies were beginning to catch HSBC's scent. The Department of Homeland Security started investigating HSBC for laundering drug money, while the attorney general's office in West Virginia snooped around HSBC's involvement in a Medicare-fraud case. A federal intra-agency meeting was convened in Washington in September 2009, at which it was determined that HSBC was out of control and needed to be investigated more closely.

The bank itself was then notified that its usual OCC review was being "expanded." More OCC staff was assigned to pore through HSBC's books, and, among other things, they found a backlog of 17,000 alerts of suspicious activity that had not been processed. They also noted that the bank had a similar pileup of subpoenas in money-laundering cases.

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found the bank's money-laundering controls seriously wanting, forcing the government to take, well . . . drastic action, right?

Sort of! In October 2010, the OCC took a deep breath, strapped on its big-boy pants and . . . issued a second cease-and-desist order!

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In other words, it was “Don’t Do It Again” – again. The punishment for all of that dastardly defiance was to bring the regulatory process right back to the same kind of double-secret-probation order they’d tried in 2003.

Not to say that HSBC didn’t make changes after the second Don’t Do It Again order. It did – it hired some people.

In the summer of 2010, 25-year-old Everett Stern was just out of business school, fighting a mild case of wanderlust and looking for a job but also for adventure. His dream was to be a CIA agent, battling bad guys and snatching up Middle Eastern terrorists. He applied to the agency’s clandestine service, had an interview even, but just before graduation, the bespectacled, youthfully exuberant Stern was turned down.

He was crushed, but then he found an online job posting that piqued his interest. HSBC, a major international bank, was looking for people to help with its anti-money-laundering program. “I thought this was exactly what I wanted to do,” he says. “It sounded so exciting.”

Stern went up to HSBC’s offices in New Castle, Delaware, for an interview, and that October, just days after the OCC issued the second Don’t Do It Again letter, he started work as part of HSBC’s “expanded” antimoney-laundering program.

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From the outset, Stern knew there was something weird about his job. “I had to go to the library to take out books on money-laundering,” Stern says now, laughing. “That’s how bad it was.” There were no training courses or seminars on money-laundering – what it was, how to detect it. His work mainly consisted of looking up the names of unsavory characters on the Internet and then running them through the bank’s internal systems to see if they popped up on any account names anywhere.

Even weirder, nobody seemed to care if anybody was doing any actual work. The Delaware office was mostly empty for a long while, just a giant unpainted room with a few hastily arranged cubicles and only a dozen or so people in it, and nobody really watching any of the workers. Stern and a fellow co-worker would routinely finish all their work by 10:30 in the morning, then spend a few hours throwing rocks into a quarry located behind the bank offices. Then they would go back to their cubicles and hang out until 3 p.m. or so, or until it was at least plausible that they’d put in a real workday. “If we asked for any more work,” Stern says, “they got angry.”

Stern earned a starting salary of \$54,900.

Soon enough, though, out of boredom and also maybe a little bit of patriotism, Stern started to sift through some of the backlogged alerts and tried to make sense of them. Almost immediately, he found a series of deeply concerning transactions. There was an exchange company wiring large sums of money to untraceable destinations in the Middle East. A Saudi fruit company was sending millions, Stern found with a simple Internet search, to a high-ranking figure in the Yemeni wing of the Muslim Brotherhood. Stern even learned that HSBC was allowing millions of dollars to be moved from the Karaiba chain of supermarkets in Africa to a firm called Tajco, run by the Tajideen brothers, who had been singled out by the Treasury Department as major financiers of Hezbollah.

Every time Stern brought one of these discoveries to his bosses, they rolled their eyes at him, if not worse. When he alerted his boss that a shipping company with ties to Iran was doing a lot of business with the bank, he blew up. “You called me over for this?” the boss snapped.

Soon after, the empty office started to fill up. What HSBC did in the way of hiring new staff was actually pretty clever. It liquidated its credit-card-collections unit and moved

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Stern says his co-workers not only sucked at their jobs, they didn't even know what their jobs were. "You could walk into that building today," he says, "and ask anyone there what moneylaundering is – and I guarantee you, no one will know."

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When something fishy pops up in connection with a bank account, the bank generates an alert. An alert can be birthed by almost anything, from someone wiring \$9,999 (to keep under the \$10K reporting level) to someone wiring large sums in round numbers to someone else opening an account with a phony-sounding name or address.

When an alert gets generated, the bank is supposed to promptly investigate the matter. If the bank doesn't clear the alert, it creates a "Suspicious Activity Report," which is handed over to the Treasury Department to be investigated.

Stern then found himself in the middle of a perverse sort-of anticompliance mechanism. HSBC had "complied" with the government's Don't Do It Again, Again order by hiring hundreds of bodies whom it turned into an army for whitewashing suspicious transactions. Remember, the complaint against HSBC was not so much that it had specifically allowed terrorist or drug money through, but that it had allowed suspicious accounts to pile up without being checked.

The boss at Stern's Delaware office gave his new team goals: Everyone was to try to clear 72 alerts a week. For those of you keeping score at home, that's nearly two alerts investigated and cleared every hour. According to Stern, almost any kind of information was good enough to clear an alert. "Basically, if a company had a website, you could clear them," he says.

Soon enough, HSBC's compliance executives were circulating cheery e-mails. "Great job by some Delaware professionals in the early part of the week," wrote Stern's boss on June 30th, 2011. The e-mail was subject-lined, "The 60-plus crowd," signifying accolades to employees who had cleared more than 60 suspicious transactions that

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After trying in vain to convince his bosses to at least let him do his job and look for money-laundering, Stern decided to turn whistle-blower, telling the FBI and other agencies what was going on at the bank. He left work at HSBC in 2011, fully expecting that the government would drop the hammer on his former employers.

By that time, numerous agencies, including the Department of Homeland Security, had crawled all the way up HSBC's backside, among other things examining it as part of a major international narcotics investigation. In one four-year period between 2006 and 2009, an astonishing \$200 trillion in wire transfers (including from high-risk countries like Mexico) went through without any monitoring at all. The bank also failed to do due diligence on the purchase of an incredible \$9 billion in physical U.S. dollars from Mexico and played a key role in the so-called Black Market Peso Exchange, which allowed drug cartels in both Mexico and Colombia to convert U.S. dollars from drug sales into pesos to be used back home. Drug agents discovered that dealers in Mexico were building special cash boxes to fit the precise dimensions of HSBC teller windows.

Former bailout inspector and federal prosecutor Neil Barofsky, who has helped secure numerous foreign money-laundering indictments, points out that the people HSBC was doing business with, like Colombia's Norte del Valle and Mexico's Sinaloa cartels, were "the worst trafficking organizations imaginable" – groups that don't just commit murder on a mass scale but are known for beheadings, torture videos ("the new thing now," he says) and other atrocities, none of which happens without money launderers. It's for this reason, Barofsky says, that drug prosecutors are not shy about dropping heavy prison sentences on launderers. "Frankly, our view of money-laundering was that it was on par with, and as significant as, the traffickers themselves," he says.

Barofsky was involved in the first extradition of a Colombian national (Pablo Trujillo, a member of the same cartel that HSBC moved money for) on moneylaundering charges. "That guy got 10 years," says Barofsky. "HSBC was doing the same thing, only on a much larger scale than my schmuck was doing."

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Subcommittee on Investigations decided to target the company for a yearlong investigation into global money-laundering. The bank itself, in response to the Senate investigation, acknowledged that it had “sometimes failed to meet the standards that regulators and customers expect.” It would later go on to say that it was even “profoundly sorry.”

A few days after Thanksgiving 2012, Stern heard that the Justice Department was about to announce a settlement. Since he’d left HSBC the year before, he’d had a rough time. Going public with his allegations had left him emotionally and financially devastated. He’d been unable to find a job, and at one point even applied for welfare. But now that the feds were finally about to drop the hammer on HSBC, he figured he’d have the satisfaction of knowing that his sacrifice had been worthwhile.

So he went to New York and sat in a hotel room, waiting for reporters to call for his comments. When he heard the news that the “punishment” Breuer had announced was a deferred prosecution agreement – a Don’t Do It Again, Again, Again agreement, if you will – he was flabbergasted.

“I thought, ‘All that, for nothing?’ ” he says. “I couldn’t believe it.”

The writer Ambrose Bierce once said there’s only one thing in the world worse than a clarinet: two clarinets. In the same vein, there’s only one thing worse than a totally corrupt bank: many corrupt banks.

If the HSBC deal showed how much dastardly crap the state could tolerate from one bank, Breuer was back a week later to show that the government would go just as easy on banks that team up with other banks to perpetrate even bigger scandals. On December 19th, 2012, he announced that the Justice Department was essentially letting Swiss banking giant UBS off the hook for its part in what is likely the biggest financial scam of all time.

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measures the rate at which banks lend to each other. Many, if not most, interest rates are pegged to LIBOR. The prices of hundreds of trillions of dollars of financial products are tied to LIBOR, everything from commercial loans to credit cards to mortgages to municipal bonds to swaps and currencies.

If you can imagine executives at Ford, GM, Mitsubishi, BMW and Mercedes getting together every morning to fix the prices of aluminum and stainless steel, you have a rough idea of what the LIBOR scandal is like, except that in the car-company analogy, you'd be dealing with absurdly smaller numbers. These are the world's biggest banks getting together every morning to essentially fix the price of money. Low LIBOR rates are an indicator that banks are strong and healthy. These banks were faking the results of their daily physicals. In banking terms, they were juicing.

Two different types of manipulation took place. In 2008, during the heat of the global crash, banks artificially submitted low rates in order to present an image of financial soundness to the markets. But at other times over the course of years, individual traders schemed to move rates up or down in order to profit on individual trades.

There is nobody anywhere growing weed strong enough to help the human mind grasp the enormity of this crime. It's a conspiracy so massive that the lawyers who are suing the banks are having an extremely difficult time figuring out how to calculate the damage.

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Here's how it works: Every morning, 16 of the world's largest banks submit numbers to a London-based panel indicating what interest rates they're charging other banks to borrow money and what they themselves are charged. The LIBOR panel then takes those 16 different interest rates, tosses out the four highest and the four lowest, and averages out the remaining eight to create that day's LIBOR rates – the basis for interest rates almost everywhere in the world.

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high interest rate, you need a bunch of banks on board – and it turns out that they were.

For perhaps as far back as 20 years, banks have been submitting phony numbers, often in concert with other banks. They did it for a variety of reasons, but the big one, typically, is that a bank trader is holding some investment tied to LIBOR – bundles of currencies, municipal bonds, mortgages, whatever – that would earn more money if the interest rate was lower. So what would happen is, some schmuck trader at Bank X would call the LIBOR submitter and offer him cash, booze, a blow job or just a pat on the back to get him to submit a fake number that day.

The scandal first blew up last year when the British megabank Barclays admitted to its part in the fixing of LIBOR rates. British regulators released a cache of disgusting e-mails showing traders from many different banks cheerfully monkeying around with your credit-card bills, your mortgage rates, your tax bill, your IRA account, etc., so that they could make out better on some sordid trade they had on that day. In one case, a trader from an unnamed bank sent an e-mail to a Barclays trader thanking him for helping to fix interest rates and promising a kickass bottle of bubbly for his efforts:

“Dude. I owe you big time! Come over one day after work, and I’m opening a bottle of Bollinger.”

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UBS was the next bank to confess, and its settlement – \$1.5 billion in fines – was much the same, only the e-mails released were, if anything, more disgusting and damning. The British Financial Services Authority – equivalent to our SEC – discovered thousands of requests to fudge rates over a period of years involving dozens of different individuals and multiple banks. In many cases, the misdeeds were committed more or less openly, in writing, with traders and brokers baldly offering bribes in texts and e-mails with an obvious unconcern for punishment that later, sadly, proved justified.

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two banks, and probably involved hundreds of people at many of the world's largest and most prestigious financial institutions – in other words, a truly epic case of anti-competitive collusion that called into question whether the world's biggest banks are innovating a new, not-entirely capitalist form of high finance. “We have said there are five further institutions under investigation,” says Christopher Hamilton of the FSA. “And there is a large number of individuals as well.” (At press time, another bank, the Royal Bank of Scotland, also settled for LIBOR-related offenses.)

This dovetailed with what Bob Diamond, the former head of Barclays, told the British Parliament the day after he stepped down last year. “There is an industrywide problem coming out now,” he said. Michael Hausfeld, a famed class-action lawyer who is suing the banks over LIBOR on behalf of cities like Baltimore whose investments lost money when interest rates were lowered, says the public still hasn't grasped the importance of comments like Diamond's. “Diamond essentially said, ‘This is an industrywide problem,’” Hausfeld says. “But nobody has defined what *this* is yet.”

Hausfeld's point – that Diamond's “industrywide problem” might be more than just a few guys messing with rates; it could be a systemic effort to pervert capitalism itself – underscores the extreme miscalculation of both recent no-prosecution deals.

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At HSBC, the bank did more than avert its eyes to a few shady transactions. It repeatedly defied government orders as it made a conscious, years-long effort to completely stop discriminating between illegitimate and legitimate money. And when it somehow talked the U.S. government into crafting a settlement over these offenses with the lunatic aim of preserving the bank's license, it succeeded, finally, in making crime mainstream.

UBS, meanwhile, was a similarly elemental case, in which the offenses didn't just violate the letter of the law – they threatened the integrity of the competitive system. If you're going to let hundreds of boozed-up bankers spend every morning sending

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Thus, in the space of just a few weeks, regulators in Britain and America teamed up to declare near-total surrender to both crime and monopoly. This was more than a couple of cases of letting rich guys walk. These were major policy decisions that will reverberate for the next generation.

Even worse than the actual settlements was the explanation Breuer offered for them. “In the world today of large institutions, where much of the financial world is based on confidence,” he said, “a right resolution is to ensure that counter-parties don’t flee an institution, that jobs are not lost, that there’s not some world economic event that’s disproportionate to the resolution we want.”

In other words, Breuer is saying the banks have us by the balls, that the social cost of putting their executives in jail might end up being larger than the cost of letting them get away with, well, anything.

This is bullshit, and exactly the opposite of the truth, but it’s what our current government believes. From JonBenet to O.J. to Robert Blake, Americans have long understood that the rich get good lawyers and get off, while the poor suck eggs and do time. But this is something different. This is the government admitting to being afraid to prosecute the very powerful – something it never did even in the heydays of Al Capone or Pablo Escobar, something it didn’t do even with Richard Nixon. And when you admit that some people are too important to prosecute, it’s just a few short steps to the obvious corollary – that everybody else is unimportant enough to jail.

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GOP Senate Candidate Says Michael Flynn Group Asked Him to 'Gather Intelligence' on Lawmakers

Oct 31, 2021 at 12:54 PM EDT

By [Natalie Colarossi](#)
Staff Writer

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Everett Stern, a Republican candidate running to represent Pennsylvania in the U.S. [Senate](#), revealed Sunday that aides to former national security adviser [Michael Flynn](#) allegedly asked him to "gather intelligence" on various lawmakers and judges for extortion purposes.

Speaking to a group of reporters, Stern said representatives for Flynn approached him through his Patriot Caucus group earlier this year with the objective to influence lawmakers to support election audits in favor of former President [Donald Trump](#).

"They wanted to gather intelligence on senators, judges, congressmen, state reps, to move them towards the audit. The word 'move' was emphasized tremendously," Stern said. "What they wanted was to extort and to literally move people towards the audit with dirt."

Everett Stern 
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Everett Stern Releases New Evidence of Ongoing Domestic terror Threat Links to General Michael T. Flynn youtu.be/0hJxwENx468

8:13 AM · Oct 31, 2021 

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Stern, who owns the private intelligence agency Tactical Rabbit, alleged that Flynn and others sought to use his company in April to gather information and recruit intelligence officers "both domestic and foreign." Stern said he believes he was approached by the group because his firm had access to a wide range of lawmakers.

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Stern said the Patriot Caucus was running operations out of multiple states, including Oklahoma, Nebraska and Virginia, using the financial support of Texas billionaire Al Hartman. In Pennsylvania, Stern said he was given two main targets to focus on: Republican Senator Pat Toomey and Republican Congressman Brian Fitzpatrick.

In conversations about those lawmakers, Stern was told to gather intelligence and to "accomplish the mission even if you have to use domestic terrorism."

"The severity and the danger of domestic terrorism in this group became very very apparent to me. It was extremely disturbing," Stern said.

He said he immediately alerted the federal government and the Pennsylvania GOP about the group's operations and did not comply with their requests.

"I believe that General Flynn has committed treason against the United States," Stern said on Sunday. "Based on what I have seen and witnessed, I truly believe that's the case."



A GOP Senate candidate in Pennsylvania said he was approached by Michael Flynn to gather "intelligence" on lawmakers. Here, Flynn sits before U.S. President Donald Trump and Japanese Prime Minister Shinzo Abe hold a joint... [More](#)

MARIO TAMA/GETTY IMAGES

Flynn, a retired U.S. Army lieutenant general and former national security adviser to Trump, has been a leading voice in supporting conspiracy theories regarding the 2020 presidential election. The organization America's Future, of which Flynn is its chairman, was one of the groups that reportedly [financed an election audit](#) in Arizona.

Stern is looking to take over Toomey's seat in the Senate. He previously made headlines as a whistleblower at HSBC bank, where he helped expose international fraud and money laundering within the company.

Newsweek attempted to contact Flynn through his group America's Future.

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EXHIBIT F

Independent Candidate Drops out, Backs Fetterman: 'Democracy at Risk'

Oct 25, 2022 at 7:16 PM EDT



By **Jake Thomas**
Night Reporter

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John Fetterman's campaign for Pennsylvania [Senate](#) is getting a boost from a candidate who dropped his independent bid and endorsed the Democrat out of concern for the future of U.S. democracy.

Everett Stern announced his withdrawal in a [tweet](#) on Tuesday afternoon, citing his low polling numbers in the race that could determine which party controls the Senate. Stern said in a video posted online that Pennsylvania needs to elect a Democrat because the Republican in the race, Dr. Mehmet Oz, has the backing of former President [Donald Trump](#). The endorsement from Stern, a former Republican, comes hours before Fetterman and Oz are scheduled to square [off in their only debate](#).

"I am polling around 3% which places Democracy at risk," Stern said. "In the interest of protecting the United States I am dropping out of the U.S Senate Race in PA. I fully endorse [John Fetterman](#). The [Democrats](#) must win. PA must be Blue. It has been an honor running."



Stern, a self-described whistleblower who owns private intelligence firm Tactical Rabbit, said in [a different video](#) shared to [Twitter](#) that it was "unacceptable" for Oz to also receive backing from Trump's former national security adviser [Michael Flynn](#).

Stern previously withdrew from the Republican primary for Senate and said that Flynn had filed a \$250 million federal [defamation lawsuit](#) against him in May. The lawsuit, filed in Florida district court, targets Stern for his previous remarks calling Flynn a traitor who headed a domestic terrorist group.

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drumming up support for audits of the presidential election. Stern described the audits as baseless and designed to back up Trump's exhaustively debunked claims that the 2020 presidential was rigged in favor of President [Joe Biden](#).



Pennsylvania's Lieutenant Governor John Fetterman speaks to supporters gathered in Dickinson Square Park in Philadelphia on October 23, 2022. Everett Stern, an independent candidate in the race, dropped out on Tuesday and endorsed Fetterman hours... [More](#)

KRISTON JAE BETHEL/GETTY IMAGES

"I'm not afraid of his right-wing extremist groups by any stretch of the imagination," Stern said in the video, noting that he would be facing Flynn during a hearing scheduled on Wednesday. "I'm here to protect democracy. This is about country over party."

The [most recent forecast](#) from poll tracking website FiveThirtyEight gives Fetterman the edge in the race with a 59 in 100 chance of winning to Oz's 41 in 100 chance. The website currently says it's a "dead heat" for which party controls the Senate.

Fetterman had earlier emerged as the frontrunner after criticizing Oz, a celebrity physician and television personality, for his wealth and recent move from New Jersey to Pennsylvania.

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The race has tightened over concerns of potentially lingering effects from a stroke Fetterman experienced in May, however, and Oz's criticisms of the Democrat's positions on crime and the economy. Fetterman released a letter from [his doctor last week](#) saying the candidate is "recovering well" and "can work full duty in public office."

Fetterman and Oz square off in Harrisburg on Tuesday at 8 p.m. local time for their only televised debate.

Newsweek reached out to the Fetterman campaign for comment.

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About the writer

[Jake Thomas](#)

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Jake Thomas is a Newsweek night reporter based in Portland, Oregon. His focus is U.S. national politics, crime and public ... [read more](#)

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Trending

EXHIBIT G

Donald Trump

🕒 This article is more than **2 years old**

Michael Flynn allies allegedly plotted to lean on Republicans to back vote audits

Ex-whistleblower says group enlisted his help to seek potentially damaging information on two members of Congress to prod them to back audits in key states Trump lost



📷 Michael Flynn, Trump's disgraced former national security adviser. Photograph: Carolyn Kaster/AP

Peter Stone in Washington

Fri 21 Jan 2022 02:00 EST

FBI agents and the House panel investigating the January 6 attack on the Capitol have both learned of an alleged plan by allies of retired army Lt Gen Michael Flynn to gather “intelligence” on top **Republicans** to “move” them to back election audits in key states Trump lost, said ex-whistleblower Everett Stern who talked to the panel and the FBI.

Stern, who runs the intelligence firm Tactical Rabbit and is a Republican vying for a Senate seat in Pennsylvania, in multiple interviews with the Guardian said two Flynn associates with the rightwing Patriot Caucus group enlisted his help in April in a scheme to seek potentially damaging information on two Republican members of Congress to prod them to back an audit of the 2020 vote that Joe Biden won.

Stern told the Guardian he spent several hours in November telling House panel investigators about the alleged drive by Flynn associates who sought campaign finance and other dirt on Pennsylvania’s Senator Pat Toomey and Congressman Brian Fitzpatrick to win their support for an audit to bolster Trump’s debunked charges that Biden’s win was fraudulent.

A long-shot candidate to succeed the retiring Toomey, Stern said he alerted the FBI in June when he learned more details of the bizarre drive by Flynn allies to specifically target the two Republicans, both of whom backed impeaching Trump after the January 6 insurrection.

The efforts by Flynn’s Patriot Caucus allies were launched after Trump failed to block Biden from taking office, and are part of a wider drive by Trump loyalists and Flynn to help boost Trump’s political fortunes via more state audits nationwide into false charges that Biden’s win was rigged, and elect like-minded candidates in key states to top electoral offices.

Stern provided text messages, emails and other documents revealing he had multiple contacts with one of the Patriot Caucus members, Velma Anne Ruth, and two other influential Flynn allies, Houston real estate mogul Al Hartman and former army Green Beret Ivan Raiklin, who were pushing audits in several key states.



📷 Ivan Raiklin, a former army Green Beret, allegedly pushed audits in several key states that Biden won. Photograph: Brian Snyder/Reuters

Stern said Flynn's Patriot Caucus associates first approached him in Pennsylvania for possible help after an April Republican party event, and soon after told Stern in phone calls they worked with Flynn and the Patriot Caucus, and planned to recruit "former domestic and foreign intelligence officials" to facilitate their scheme.

The plan by Flynn's allies alarmed Stern, but as a former whistleblower involved in exposing a large bank money laundering scandal by HSBC in 2012, he told the Guardian he decided to play along for a few months to glean information to expose the Trump allies' scheme.

Stern expressed dismay that Flynn's Patriot Caucus associates "don't understand that Biden is the president. They wanted to collect information through Tactical Rabbit and my campaign" to turn up the heat on Toomey and Fitzpatrick to back an audit which Stern viewed as potentially "extortion".

Stern gave the Guardian a voice mail he received in which Hartman talked about leaning on moderate Republican "Rinos" in Pennsylvania to gain support for an audit of that state's vote which Biden won by over 80,000, and Hartman said a similar drive in Michigan was needed.

Stern said Hartman wanted to use Tactical Rabbit's intelligence gathering tools and his campaign to dig up potentially embarrassing campaign finance information and other dirt about the Pennsylvania members, plus Republican political figures in Michigan who were also resisting audits.

Hartman and Raiklin also talked with Stern about meeting Flynn, Trump's disgraced ex-national security adviser, and proposed compensating him for his information via campaign donations, said Stern.

In an April exchange of Hartman text messages seen by the Guardian, Hartman asked a Flynn scheduler to help "connect" Flynn with Stern whose Senate campaign and credentials he touted highly, calling Stern a "strong believer", in their cause.

Although Stern tipped off the FBI in June about what he deemed a threat to national security and he said he met with agents again in November, it's not clear if his allegations are still being pursued.



📷 Flynn associates allegedly sought campaign finance and other dirt on Senator Pat Toomey, Republican of Pennsylvania. Photograph: REX/Shutterstock

Stern's allegations have echoes of Flynn's scheming with Trump and other loyalists in late 2020 to thwart Biden's win, efforts that included a White House meeting with Trump where Flynn proposed declaring martial law in several states Biden won and then rerunning the election there.

In November, the House panel investigating the January 6 Capitol attack subpoenaed Flynn who Trump had pardoned post-election even though he had pled guilty twice to lying to the FBI during the Russia investigation. In response to the subpoena to testify and turn over documents, Flynn sued the panel but a judge quickly dismissed his lawsuit last month.

John Sipher, who was in the CIA's clandestine services for 28 years, shares Stern's view of Flynn, who he knew in the military and shortly thereafter. "I am appalled by what he has become," Sipher said in an email.

Asked if he thought the FBI was pursuing Stern's charges, Sipher said: "I would hope and assume they are taking this seriously."

While Fitzpatrick and Toomey were the main "targets" Stern said other Pennsylvania officials including judges were also being targeted by the Flynn allies as they sought to ramp up pressure for an audit in the state.

Neither Fitzpatrick or Toomey's offices replied to multiple requests for comment.

The Patriot Caucus, a coalition of Patriot and other rightwing groups in some two dozen states with which Raiklin and Hartman have ties, according to Stern and documents, has worked with Trump loyalists like Flynn to push audits in key states Biden won, and backed Trump allies for governor, and other top posts in states like Pennsylvania and Arizona Trump lost.

Flynn himself on 7 January publicly endorsed another Trump ally and election audit promoter, Doug Mastriano for governor in Pennsylvania, at a campaign rally also attended by Raiklin.

Flynn has also endorsed two Trump backed candidates in Arizona: Kari Lake, an ex-Fox News figure, for governor, and Mark Finchem, a state representative who attended the January 6 Stop the Steal rally, for secretary of state.

To coordinate national efforts, Raiklin and Hartman on 3 July spearheaded one of a series of "Election Integrity" calls with Trump loyalists, lawyers and donors to discuss the status of audits efforts in several states and other plans to cast doubt on Biden's win, according to an Arizona senate document shared by the watchdog group American Oversight.

“Join us every second Saturday for SITUATION UPDATES and COLLABORATION from active leaders in the election remediation process at state level – attorneys with Mike Lindell and Patrick Byrne, data analysts, state legislators, gubernatorial candidates, and grassroots activists whose goal is completing a cyber forensic audit in their state,” the Arizona document reads.



📷 Congressman Brian Fitzpatrick, Republican of Pennsylvania, backed impeaching Trump after the January 6 insurrection. Photograph: Allison Bailey/NurPhoto/REX/Shutterstock

A who's who list of Trump loyalists and groups invited to join these calls included the America Project and America's Future, both of which Flynn played key roles with as they poured some \$2m into a discredited audit of Arizona's largest county, plus the Patriot Caucus' Velma Anne Ruth, Finchem and Byrne, the millionaire chief financier of the Arizona audit.

Hartman in emails with Stern obtained by the Guardian invited him in June to attend a religious far-right meeting known as Ziklag in Dallas where he could meet separately with Flynn. Stern said Hartman told him a “private meeting was going to be arranged with Flynn” who Stern was told wanted to meet him.

After indicating to Hartman he would attend, Stern opted to cancel at the last minute after his lawyer indicated there could be legal repercussions from a meeting with Flynn. “I thought it was extremely dangerous to meet with a three star general who I believed had broken the law.

“They planned to give my campaign funds to help me” develop damaging information on Toomey and Fitzpatrick, Stern claimed. “It was like a wink, wink. Hartman is the man behind the curtain. He's an operative and financier,” promoting audits.

Hartman has long been a donor to the right. He is on the advisory council for the pro-Trump Turning Point USA and has been active in the conservative donor network led by oil billionaire Charles Koch.

Raiklin, an army reserve officer who reportedly has known Flynn since 2014, is facing an internal army reserve investigation into possible violations of rules barring partisan political activity, according to a military official who spoke to Reuters last month.

Raiklin in December 2020 outlined a wild scheme in tweets and a podcast to thwart Biden's win, charging a vast conspiracy that included Pence, intelligence, China and Big Tech, as Reuters reported. Raiklin told Trump to “activate the emergency broadcast system” and deployed the hashtag #FightLikeAFlynn, stressing that “we the people are going to force this plan on them”.

Neither Hartman or Raiklin replied to multiple calls seeking comment.

A Flynn scheduler did not respond to questions for the story.

Velma Anne Ruth with the Patriot Caucus, who was photographed with Stern at a June event in Pennsylvania where she wore a tank top that said General Flynn, called Stern's charges "delusional, fabricated and defamatory", in a text message. Stern said he shared the photo and other documents involving exchanges he had with Ruth with the FBI.

Senior ex-prosecutors and intelligence officials say Stern's allegations merit law enforcement attention.

"Stern's allegations suggest serious crimes," said ex-prosecutor Paul Rosenzweig, who worked on Ken Starr's team during the impeachment of Bill Clinton. "If his allegations were corroborated by extrinsic evidence they clearly would warrant investigation."

Former CIA official Sipher, who has spoken with Stern before, said: "Everett is someone with a strong sense of right and wrong, and willing to suffer the consequences of doing the right thing. We would be better served to have more people like Everett in public life."

I hope you appreciated this article. Before you move on, I wanted to ask if you would consider supporting the Guardian's journalism as we enter one of the most consequential news cycles of our lifetimes in 2024.

With the potential of another Trump presidency looming, there are countless angles to cover around this year's election - and we'll be there to shed light on each development in the 2024 election, with explainers, key takeaways and analysis of what it means for America, democracy and the world.

From Elon Musk to the Murdochs, a small number of billionaire owners have a powerful hold on so much of the information that reaches the public about what's happening in the world. The Guardian is different. We have no billionaire owner or shareholders to consider. Our journalism is produced to serve the public interest - not profit motives.

And we avoid the trap that befalls much US media: the tendency, born of a desire to please all sides, to engage in false equivalence in the name of neutrality. We always strive to be fair. But sometimes that means calling out the lies of powerful people and institutions - and making clear how misinformation and demagoguery can damage democracy.

From threats to election integrity, to the spiraling climate crisis, to complex foreign conflicts, our journalists contextualize, investigate and illuminate the critical stories of our time. As a global news organization with a robust US reporting staff, we're able to provide a fresh, outsider perspective - one so often missing in the American media bubble.

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Betsy Reed
Editor, Guardian US



One-time

Monthly

Annual

\$5 per month

\$13 per month

Other

EXHIBIT H

General Flynn

Ivan E. Raiklin



EXHIBIT I



EXHIBIT J

“...great patriots, and they’re working specifically on election integrity in states like Pennsylvania and others. Everett Stern... was very upset that General Flynn endorsed Kathy Barnett for Senate... in Pennsylvania and started to make up all kinds of crazy nonsense. There is no investigation. We have not been approached by law enforcement about anything he’s talking about because everything he’s talking about is nonsense. So hopefully that answers your question there.”



- Joseph Flynn, on a live stream

EXHIBIT K

RELEASE

I. CONSIDERATION

FOR AND IN CONSIDERATION OF the payment to me of the sum of **One Hundred Fifty Thousand and 00/100 (\$150,000.00)**, “Settlement Proceeds,” and other good and valuable consideration, I hereby agree as specified herein below.

II. RELEASE

I, **Michael T. Flynn**, being of lawful age, (hereinafter “Releasor”), have released and discharged, and by these presents do for myself, my heirs, executors, administrators and assigns, release, acquit, and forever discharge **Everett Stern**, and each of his heirs, representatives, executors, administrators, and assigns, and **Homesite Insurance Company** and each of its parents, subsidiaries, affiliates, predecessors, successors, officers, directors, and agents (hereinafter “Releasees”), from any and all claims, actions, demands, proceedings, damages, liabilities, judgments, known or unknown, whether sounding in tort, contract, statutory, regulatory, common law, or otherwise, of whatever kind, existing as of the date of this Release, including but not limited to the lawsuit now pending in the United States District Court for the Middle District of Florida, case number 8:22-cv-01250 (the “Defamation Lawsuit”) (collectively, “Claims”), that arise out of or could have arisen out of acts, omissions, statements, or publications by Everett Stern, individually, about or concerning Michael T. Flynn, occurring up through the date of this Release, whether asserted in any pleading, email, correspondence, or other communication, whether arising out of the same transactions or occurrences, and whether under any legal theory or concept asserted previously or not. This Release does not include any company or corporate entity affiliated with or owned by Everett Stern, other than his insurance carrier specifically named above. This Release

also does not include the counterclaim filed by Everett Stern in the Defamation Lawsuit and any liability of Everett Stern arising therefrom.

Within fifteen (15) days of receiving payment referenced in Paragraph I above, Releasor will file a Stipulation for Dismissal of the Complaint with Prejudice, with each party to bear its own attorneys' fees and costs.

III. NO ADMISSION OF LIABILITY

I understand that this settlement is the compromise of a disputed claim, and that the payment of the Settlement Proceeds is not to be construed as an admission of liability on the part of the Releasees by whom liability is expressly denied.

VI. CHOICE OF LAW

This Release shall be construed and governed in accordance with the laws of the State of Florida (without regard to its choice of law provisions).

VII. DRAFTING OF AGREEMENT

The parties acknowledge that each party has participated in the drafting of this Release and each has had an equal opportunity to participate in the drafting of this Release. No ambiguity shall be construed against any party based upon a claim that the party drafted the ambiguous language.

VIII. UNDERSTANDING OF AGREEMENT

I have carefully read this Release and know the contents thereof, I have had the advice of counsel regarding this Release, and I sign the same as my own free act.

IX. ENTIRE AGREEMENT

THIS RELEASE CONTAINS THE ENTIRE UNDERSTANDING among the parties hereto, and the terms of this Release are contractual and not a mere recital and may only be modified in writing signed by all parties to this Release.

X. SEVERABILITY

I understand and agree that if any provision of this Release and Agreement is declared to be invalid or unenforceable by a Court of competent jurisdiction, such provision or a portion of this Release will be deemed to be severed and deleted from this Agreement, but this Release in all other respects will remain unmodified and continue in full force and effect; provided, however, that this provision does not preclude a Court of competent jurisdiction from refusing to sever any provision if severance would be inequitable.

WITNESS my hand and seal this 5TH day of January, 2023.

 (Seal)
Michael T. Flynn

EXHIBIT L

**IN THE UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION**

MICHAEL T. FLYNN,

Plaintiff,

v.

Case No.: 8:22-cv-01250

EVERETT STERN,

Defendant and
CounterPlaintiff,

v.

MICHAEL T. FLYNN,

CounterDefendant,

_____/

**JOINT STIPULATION FOR DISMISSAL OF ALL
CLAIMS AND COUNTERCLAIMS**

BY SIGNING BELOW, the parties, MICHAEL T. FLYNN, as Plaintiff and EVERETT STERN, both as Defendant and Counterclaim Plaintiff, hereby stipulate to dismiss, with prejudice, all claims raised herein whether in the Complaint, the Affirmative Defenses, or the Counterclaim.

By affixing my signature below, I signify I am in agreement that my currently pending claim or counterclaim should be dismissed, with prejudice. Everett Stern, as a pro-se Counter claim Plaintiff has signed on his own behalf, otherwise the signatures of counsel are affixed pursuant to the authority of the clients represented.

Dated: _____

Jason C. Greaves, Esq.,
(admitted pro hac vice)
Jared J. Roberts, Esq. FBN: 1036550
BINNALL LAW GROUP, PLLC
717 King Street, Suite 200
Alexandria, VA 22314
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jason@binnall.com
*Counsel for Plaintiff and
Counterclaim
Defendant, Gen. Michael T. Flynn,*

Dated: _____

/s/ Dorothy V. DiFiore
Dorothy Venable DiFiore, Esq.,
FBN: 0962139
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Facsimile: 813-286-9998
Counsel for Defendant, Everett Stern

Dated: 01/23/23



Everett Stern, MBA, Pro Se
60 Pottstown Pike, Suite 8
Chester Spring, PA 19425
Telephone: 703-408-4873
stern@everettstern.com
Counterclaim Plaintiff

EXHIBIT M

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

FILED

DEC 01 2017

Clerk, U.S. District and
Bankruptcy Courts

UNITED STATES OF AMERICA

v.

MICHAEL T. FLYNN,

Defendant.

Criminal No.:

Violation: 18 U.S.C. § 1001 (False
Statements)

STATEMENT OF THE OFFENSE

Pursuant to Federal Rule of Criminal Procedure 11, the United States of America and the defendant, MICHAEL T. FLYNN, stipulate and agree that the following facts are true and accurate. These facts do not constitute all of the facts known to the parties concerning the charged offense; they are being submitted to demonstrate that sufficient facts exist that the defendant committed the offense to which he is pleading guilty.

1. The defendant, MICHAEL T. FLYNN, who served as a surrogate and national security advisor for the presidential campaign of Donald J. Trump ("Campaign"), as a senior member of President-Elect Trump's Transition Team ("Presidential Transition Team"), and as the National Security Advisor to President Trump, made materially false statements and omissions during an interview with the Federal Bureau of Investigation ("FBI") on January 24, 2017, in Washington, D.C. At the time of the interview, the FBI had an open investigation into the Government of Russia's ("Russia") efforts to interfere in the 2016 presidential election, including the nature of any links between individuals associated with the Campaign and Russia, and whether there was any coordination between the Campaign and Russia's efforts.

2. FLYNN's false statements and omissions impeded and otherwise had a material impact on the FBI's ongoing investigation into the existence of any links or coordination

between individuals associated with the Campaign and Russia's efforts to interfere with the 2016 presidential election.

False Statements Regarding FLYNN's Request to the Russian Ambassador that Russia Refrain from Escalating the Situation in Response to U.S. Sanctions against Russia

3. On or about January 24, 2017, FLYNN agreed to be interviewed by agents from the FBI ("January 24 voluntary interview"). During the interview, FLYNN falsely stated that he did not ask Russia's Ambassador to the United States ("Russian Ambassador") to refrain from escalating the situation in response to sanctions that the United States had imposed against Russia. FLYNN also falsely stated that he did not remember a follow-up conversation in which the Russian Ambassador stated that Russia had chosen to moderate its response to those sanctions as a result of FLYNN's request. In truth and in fact, however, FLYNN then and there knew that the following had occurred:

- a. On or about December 28, 2016, then-President Barack Obama signed Executive Order 13757, which was to take effect the following day. The executive order announced sanctions against Russia in response to that government's actions intended to interfere with the 2016 presidential election ("U.S. Sanctions").
- b. On or about December 28, 2016, the Russian Ambassador contacted FLYNN.
- c. On or about December 29, 2016, FLYNN called a senior official of the Presidential Transition Team ("PTT official"), who was with other senior members of the Presidential Transition Team at the Mar-a-Lago resort in Palm Beach, Florida, to discuss what, if anything, to communicate to the Russian Ambassador about the U.S. Sanctions. On that call, FLYNN and

the PTT official discussed the U.S. Sanctions, including the potential impact of those sanctions on the incoming administration's foreign policy goals. The PTT official and FLYNN also discussed that the members of the Presidential Transition Team at Mar-a-Lago did not want Russia to escalate the situation.

- d. Immediately after his phone call with the PTT official, FLYNN called the Russian Ambassador and requested that Russia not escalate the situation and only respond to the U.S. Sanctions in a reciprocal manner.
- e. Shortly after his phone call with the Russian Ambassador, FLYNN spoke with the PTT official to report on the substance of his call with the Russian Ambassador, including their discussion of the U.S. Sanctions.
- f. On or about December 30, 2016, Russian President Vladimir Putin released a statement indicating that Russia would not take retaliatory measures in response to the U.S. Sanctions at that time.
- g. On or about December 31, 2016, the Russian Ambassador called FLYNN and informed him that Russia had chosen not to retaliate in response to FLYNN's request.
- h. After his phone call with the Russian Ambassador, FLYNN spoke with senior members of the Presidential Transition Team about FLYNN's conversations with the Russian Ambassador regarding the U.S. Sanctions and Russia's decision not to escalate the situation.

False Statements Regarding FLYNN's Request that Foreign Officials Vote Against or Delay a United Nations Security Council Resolution

4. During the January 24 voluntary interview, FLYNN made additional false statements about calls he made to Russia and several other countries regarding a resolution submitted by Egypt to the United Nations Security Council on December 21, 2016. Specifically FLYNN falsely stated that he only asked the countries' positions on the vote, and that he did not request that any of the countries take any particular action on the resolution. FLYNN also falsely stated that the Russian Ambassador never described to him Russia's response to FLYNN's request regarding the resolution. In truth and in fact, however, FLYNN then and there knew that the following had occurred:

- a. On or about December 21, 2016, Egypt submitted a resolution to the United Nations Security Council on the issue of Israeli settlements ("resolution"). The United Nations Security Council was scheduled to vote on the resolution the following day.
- b. On or about December 22, 2016, a very senior member of the Presidential Transition Team directed FLYNN to contact officials from foreign governments, including Russia, to learn where each government stood on the resolution and to influence those governments to delay the vote or defeat the resolution.
- c. On or about December 22, 2016, FLYNN contacted the Russian Ambassador about the pending vote. FLYNN informed the Russian Ambassador about the incoming administration's opposition to the resolution, and requested that Russia vote against or delay the resolution.

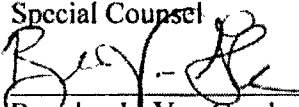
- d. On or about December 23, 2016, FLYNN again spoke with the Russian Ambassador, who informed FLYNN that if it came to a vote Russia would not vote against the resolution.

Other False Statements Regarding FLYNN's Contacts with Foreign Governments

5. On March 7, 2017, FLYNN filed multiple documents with the Department of Justice pursuant to the Foreign Agents Registration Act ("FARA") pertaining to a project performed by him and his company, the Flynn Intel Group, Inc. ("FIG"), for the principal benefit of the Republic of Turkey ("Turkey project"). In the FARA filings, FLYNN made materially false statements and omissions, including by falsely stating that (a) FIG did not know whether or the extent to which the Republic of Turkey was involved in the Turkey project, (b) the Turkey project was focused on improving U.S. business organizations' confidence regarding doing business in Turkey, and (c) an op-ed by FLYNN published in *The Hill* on November 8, 2016, was written at his own initiative; and by omitting that officials from the Republic of Turkey provided supervision and direction over the Turkey project.

ROBERT S. MUELLER, III
Special Counsel

By:



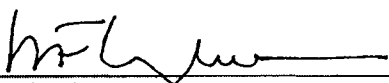
Brandon L. Van Grack
Zainab N. Ahmad
Senior Assistant Special Counsels
The Special Counsel's Office

DEFENDANT'S ACCEPTANCE

The preceding statement is a summary, made for the purpose of providing the Court with a factual basis for my guilty plea to the charge against me. It does not include all of the facts known to me regarding this offense. I make this statement knowingly and voluntarily and because I am, in fact, guilty of the crime charged. No threats have been made to me nor am I under the influence of anything that could impede my ability to understand this Statement of the Offense fully.

I have read every word of this Statement of the Offense, or have had it read to me. Pursuant to Federal Rule of Criminal Procedure 11, after consulting with my attorneys, I agree and stipulate to this Statement of the Offense, and declare under penalty of perjury that it is true and correct.

Date: 11/30/17




Michael T. Flynn
Defendant

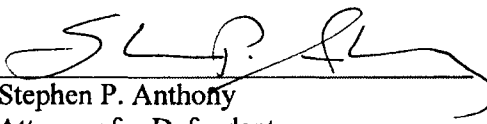
ATTORNEYS' ACKNOWLEDGMENT

I have read this Statement of the Offense, and have reviewed it with my client fully. I concur in my client's desire to adopt and stipulate to this Statement of the Offense as true and accurate.

Date: 11/30/17



Robert K. Kelner
Attorney for Defendant



Stephen P. Anthony
Attorney for Defendant

EXHIBIT N

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NATIONAL SECURITY

Michael Flynn Pleads Guilty To Lying To FBI

DECEMBER 1, 2017 · 9:32 AM ET

HEARD ON ALL THINGS CONSIDERED

By Carrie Johnson, Ryan Lucas

[4-Minute Listen](#)[PLAYLIST](#) [Download](#)[Transcript](#)

Michael Flynn, former national security adviser to President Trump, arrives for his plea hearing at the Prettyman Federal Courthouse on Friday in Washington, D.C.

Chip Somodevilla/Getty Images

Updated 12/2, 11:47 a.m. ET

President Trump's first national security adviser, Michael Flynn, pleaded guilty Friday to lying to the FBI about his contacts with the Russian ambassador during the transition, and he is cooperating with the special counsel's investigation into Moscow's interference in last year's election.

Flynn told investigators that he was instructed to engage with the Russians by senior members of the Trump transition team.



NATIONAL SECURITY

Settle In: Russia Investigation Likely To Last Much Longer Than White House Says

The plea agreement marks a major development in special counsel Robert Mueller's probe — Flynn is the first former senior official from the Trump White House to face charges. It also suggests that Flynn has information that may take investigators to the core question of their inquiry: possible coordination between the Trump campaign and Russia.

Speaking Saturday morning before departing for New York City, President Trump again denied any coordination between Russia and his campaign. "What has been shown is no collusion, no collusion. There's been absolutely no collusion, so we're very happy," Trump said when asked about Flynn's guilty plea, according to a pool report.

Flynn, a retired lieutenant general who emerged as a top Trump adviser during the 2016 presidential race, entered his guilty plea during a hearing Friday morning in federal court in Washington, D.C. Leaving the courthouse after about an hour, Flynn stepped into a waiting black SUV and did not answer questions shouted at him by journalists gathered on the sidewalk outside.

But in a statement sent by his lawyers, Flynn admitted that he has made mistakes.

"I recognize that the actions I acknowledged in court today were wrong, and, through my faith in God, I am working to set things right," he said. "My guilty plea and agreement to cooperate with the Special Counsel's Office reflect a decision I made in the best interests of my family and of our country. I accept full responsibility for my actions."

NATIONAL SECURITY



'Chaos' Is At The Heart Of The Trump Camp's Defense. But It Can Cut Both Ways

The single count relates to Flynn's discussions in late 2016 — during the transition period between Trump's victory on Election Day and his inauguration in late January — with the Russian ambassador to the U.S. about sanctions the Obama administration had just imposed on Russia and about a U.N. Security Council resolution, according to court papers filed by the special counsel.

Other court papers released Friday provide more details on those interactions.

The day after then-President Barack Obama imposed sanctions on Russia over Moscow's election interference, Flynn spoke with then-Russian Ambassador Sergey Kislyak, the court documents say.

Flynn first consulted with a "senior official of the Presidential Transition Team," who was with other transition members at Trump's Mar-a-Lago resort in Florida, on what to tell the ambassador about American sanctions.

Speaking later that day with Kislyak, Flynn requested that Russia not retaliate against the punitive measures just imposed by the U.S., the court papers say. Flynn then called the transition official to report on his discussion. The following day, Russia announced that it would not take retaliatory measures against the U.S.



NEWS

Learn More About The Trump-Russia Imbroglio

Top Trump aides Stephen Miller, K.T. McFarland, Kellyanne Conway, Steve Bannon and Reince Priebus were all at Mar-a-Lago with then-President-elect Trump on Dec. 29, 2016, according to a pool report by a journalist assigned to cover Trump and the transition team on that day.

Flynn also engaged in a similar back-and-forth with the Russian ambassador over a U.N. Security Council vote on a resolution condemning Israeli settlements in the occupied West Bank and East Jerusalem. The incoming Trump administration opposed the resolution, and Flynn asked the Russian envoy to either oppose the

measure or delay it. Flynn was directed by a "very senior member" of the transition team to make the request, court papers say.

Media reports have suggested that "very senior" transition official is Jared Kushner. A person familiar with the Trump transition efforts denies that Kushner "directed" Flynn to contact officials from Russia and other foreign governments to find out their stance on the resolution.

"The U.N. effort was well-known and a collaborative effort by Reince Priebus, Steve Bannon, General Flynn and Jared Kushner," the source told NPR. "None of them 'ordered' or 'directed' the others and all were working towards the same goal."



POLITICS

READ: Michael Flynn's Resignation Letter As National Security Adviser

Flynn resigned from his White House post under pressure in February after allegations that he discussed sanctions with the Russian ambassador, then misled Vice President Pence about the conversations.

"Throughout my over thirty three years of honorable military service, and my tenure as the National Security Advisor, I have always performed my duties with the utmost of integrity and honesty to those I have served, to include the President of the United States," Flynn wrote in his resignation letter.

After Flynn's departure, he went out of his way to express loyalty to the president and he told acquaintances he was still in touch with Trump, who urged him to "stay strong," according to a Yahoo News report.

On Friday, White House special counsel Ty Cobb tried to distance the administration from Flynn, describing him as "a former National Security Advisor at the White House for 25 days during the Trump administration, and a former Obama administration official."

Cobb said that Flynn's false statements "mirror" those he made to White House officials, which resulted in his resignation in February.

"Nothing about the guilty plea or the charge implicates anyone other than Mr. Flynn," Cobb added. "The conclusion of the Special Counsel's work demonstrates again that the Special Counsel is moving with all deliberate speed and clears the way for a prompt and reasonable conclusion."

NATIONAL SECURITY

Russia Tried To Infiltrate Trump Campaign, Mueller Documents Confirm

But Flynn's plea agreement and cooperation with Mueller would seem to signal the opposite — that the investigation has now reached into the Trump White House itself, and that it still has a long way to go before wrapping up.

Flynn was a trusted adviser who worked closely with other campaign officials, many of whom are now senior administration officials.

Flynn has long been known to face legal troubles over a range of issues.

Former acting Attorney General Sally Yates, an Obama administration holdover, testified under oath on Capitol Hill that she had warned the White House counsel about Flynn before her firing in January, but that he seemed to play down the significance of her warning.

NATIONAL SECURITY

A 'Toothless' Old Law Could Have New Fangs, Thanks To Robert Mueller

Flynn also took the step of filing documents with the Justice Department under the Foreign Agents Registration Act, or FARA, for his lucrative lobbying work on behalf of Turkey in 2016, a period that overlapped with the presidential campaign. Criminal enforcement of the FARA has been spotty, with only seven cases since 1966.

But failure to register under the law formed the basis of criminal charges against Paul Manafort, Trump's former campaign chairman, and Manafort's deputy, Richard Gates, in late October.

As investigations into Russian election interference began to intensify this year, Flynn offered to testify to congressional committees — if he could receive immunity in exchange for his remarks. "Gen. Flynn certainly has a story to tell, and

he very much wants to tell it, should the circumstances permit," his lawyer Robert Kelner said at the time.

POLITICS

Journalist Investigating Trump And Russia Says 'Full Picture Is One Of Collusion'

LISTEN · 37:12

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Transcript

More recently, Flynn's son, Michael G. Flynn, who worked alongside his father at the Flynn Intel Group, has come under scrutiny from congressional investigators and the special counsel.

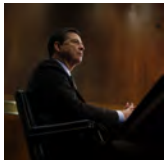
Several veteran lawyers on the special counsel team have a history of approaching lower-level figures, including relatives of their targets, to build bigger cases against corporate executives or mob figures.

After prosecutors unveiled charges against Manafort and Gates on Oct. 30, the White House distanced itself from them, pointing out that the bulk of their alleged offenses predated the presidential campaign.

But putting distance between Trump and Flynn may be more of a challenge, as the president repeatedly praised Flynn for his service and loyalty, even after he left the White House this year.

Michael Flynn Plea Agreement

Contributed by NPR

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EXHIBIT O

IN THE CIRCUIT COURT OF THE SEVENTH JUDICIAL CIRCUIT
IN AND FOR ST. JOHNS COUNTY, FLORIDA
Civil Division

MICHAEL T. FLYNN,

Plaintiff,

v.

EVERETT STERN
243 Falcon Ridge Road
St. Augustine, Florida 32084

Defendant.

Case No.: CA23-2052

COMPLAINT

Demand for a Jury Trial

1. Defendant Everett Stern is a fabulist grifter who poses as an intelligence operative—calling himself the “Intelligence Director” of his own “private CIA,” despite having no military, intelligence, or law enforcement experience—who spreads lies on the internet about prominent companies and public figures to drive up his social media engagement and generate income for his company. His targets have included HSBC and Senator Pat Toomey. Defendant appears to be particularly obsessed with smearing Lt. Gen. Michael T. Flynn, U.S. Army (ret.) (“General Flynn”), a decorated American hero.

2. From January 6, 2023, to present, Defendant has posted on X (formerly Twitter) about General Flynn no fewer than 175 times and has published multiple podcasts and videos repeating his smears. Defendant lies about General Flynn *ad nauseam*, accusing him of blackmail, extortion, treason, and of being part of a domestic terrorism plot. Defendant’s newest smear is to accuse General Flynn of

making threats against his family and being involved in a supposedly criminal enterprise, stealing credit card and financial information.

3. General Flynn now seeks to hold Defendant accountable for his malicious and knowing lies.

Parties

4. Lt. Gen. Michael T. Flynn, U.S. Army (ret.) is an individual who is a citizen of Florida and resides in Sarasota County.

5. Defendant Everett Stern is an individual who is a citizen of Florida and resides in St. Johns County.

Jurisdiction & Venue

6. This Court has subject matter jurisdiction over this cause of action pursuant to Fla. Stat. § 26.012 as it is a civil action with damages exceeding \$50,000.

7. Venue for this action is properly in St. Johns County, Florida as Defendant resides in St. Johns County.

Factual Background

Background of General Flynn

8. General Flynn has dedicated his life to serving and protecting the United States. He served more than thirty-three (33) years in the United States Army, rising to the rank of Lieutenant General.

9. On April 17, 2012, President Barack Obama nominated General Flynn as the Director of the Defense Intelligence Agency (“DIA”), and the United States Senate subsequently confirmed that appointment. In this role, General Flynn was

responsible for overseeing the DIA's mission to provide military intelligence to warfighters, defense policymakers, and force planners in the Department of Defense and the United States' broader Intelligence Community in support of United States military planning and operations and weapon systems acquisition.

10. General Flynn served as DIA Director until stepping down from that role on August 7, 2014, and subsequently retiring from the Army on September 30, 2014. Admiral Mike Rogers, then the director of the NSA, praised General Flynn as "the best intelligence officer of the past 20 years."

11. In 2016, General Flynn became a foreign policy advisor to then-Republican presidential candidate Donald J. Trump. General Flynn continued to serve in this role through the election and on the transition team when it was announced that he would be incoming President Trump's selection for National Security Advisor ("NSA").

12. In the leadup to the 2016 election, the FBI targeted General Flynn because of his affiliation with President Trump. Shortly after the election, although there was no basis for investigating General Flynn, much less President Trump, the FBI sent two agents to interview General Flynn about a conversation he had with Russian Ambassador Kislyak. The FBI possessed the transcript and knew that there was nothing problematic about the call, and General Flynn's statements about the call—weeks later, and in the middle of the transition when he was having multiple conversations with foreign diplomats—were vague, and only arguably false. Despite

this, General Flynn was charged with lying to the FBI. He initially agreed to plead guilty only after the DOJ threatened his son with prosecution.

13. Prior to sentencing, however, General Flynn became aware of improperly withheld *Brady* material that showed his innocence—particularly internal FBI documents showing that there was no basis to conduct the interview as the FBI had already cleared General Flynn of connections with Russia, a handwritten note of FBI Assistant Deputy Director Bill Priestap indicating that the real purpose of the interview was not to get to the truth but to “get [Flynn] to lie,” and notes of the interviewing agents showing that they thought General Flynn believed he was telling the truth. Put simply—and as the DOJ recognized in its motion to dismiss the charge, fully vindicating General Flynn—nothing that he said during the interview, even if false, could possibly have been material to any investigation, and they had no evidence of an intentional misstatement.

14. After years of wrongful prosecution by the FBI and DOJ, crushing legal bills, and finally clearing his name, General Flynn has returned to public life as a staunch advocate for the preservation of American values and election integrity, and the fight against human trafficking.

Defendant’s history of fabrications and targeting of General Flynn

15. Defendant made a name for himself by repeatedly—and falsely—claiming to be the HSBC “whistleblower” whose insider “intelligence” caused HSBC to be fined \$1.92 billion in 2012.

16. In reality, Defendant was nothing more than an entry-level associate, straight out of school, who worked at HSBC for one year. He had nothing to do with the HSBC investigation, which entirely predated his employment. Defendant admitted this in a “Government Submission” he filed with the Federal Reserve in his first attempt to smear a prominent company and boost his own public profile.

17. Defendant fabricated a public persona as the whistleblower who took down HSBC, including the idea that he worked with the CIA to do so. He titled himself the “Intelligence Director” of his company, which he advertised as a “Private Intelligence Agency” and “the real Private CIA,” that conducts “intelligence operations,” and utilizes “CIA intelligence methodologies and tradecraft.”

18. Defendant has parlayed his HSBC lies into media appearances and interviews—portraying himself as a private spy who dismantled terrorist financing operations—a book, and several runs for political office, including seeking the Republican nomination for U.S. Senate in Pennsylvania. Indeed, Defendant has publicly stated his intent to run for U.S. Senate again in 2024, this time as a Democrat in Florida. While Defendant has never won an election or primary, or even come close, he utilizes these failed runs as credentials—like his supposed credential as a “whistleblower”—to pad his resume, sell books, and attract business to his “Private Intelligence Agency.”

19. Over the years, Defendant has shown a pattern of making outrageous and unsubstantiated allegations to attract headlines and attention, and to generate business for his company.

20. On October 30, 2021, Defendant publicly began such a campaign against General Flynn, holding a “press conference” at which he made outrageous and false allegations that General Flynn was involved in a domestic terrorism plot and that General Flynn was “committing treason against the United States.”¹

21. In his written YouTube post that accompanied the video of this “press conference,” Defendant proclaimed himself to be “considered a hero by many” and once again repeated the lie that he was “the HSBC whistleblower who, in 2012, uncovered evidence that his employer HSBC was laundering money for several major international terrorist and drug cartel financing operations around the world” and that his “whistleblowing actions resulted in a \$1.92 billion fine.”²

22. In the press conference, and in subsequent statements, Defendant fabricates a story about two supposed “Flynn Operatives” he met at a political rally who tried to recruit him into a blackmail and extortion scheme to dig up dirt on Pennsylvania politicians and pressure them into supporting election audits, and that they would accomplish this “mission” by use of “domestic terrorism.” He went on to claim that he was required to pass a “test” by giving a speech at a Lancaster, Pennsylvania event, before they would fully trust him and provide him with “targets.”

¹ Everett Stern, *New Evidence of Ongoing Domestic Terror Threat Links to General Michael T. Flynn*, YOUTUBE (Oct. 30, 2021), <https://www.youtube.com/watch?v=0hJxwENx468>.

² It is noteworthy that 2012 was a year after Defendant had already left HSBC.

23. Defendant's story was false in every material respect. While Defendant did meet two grassroots activists at the rally, Velma Ann Ruth and Mark Still, they did not work for and never claimed to work for General Flynn. Ruth was wearing a "★★★ General Flynn #JusticeForAll" tank-top and baseball cap, as depicted below.³ At some later point, Defendant also met a man named Ivan Raiklin, who Defendant falsely claims is General Flynn's attorney. Raiklin is not and has never been an attorney for General Flynn, nor is General Flynn affiliated with him.



24. Ruth and Still never tried to recruit Defendant for anything. Quite the contrary, after meeting them at the Republican event and exchanging information, Defendant called Ruth, aggressively trying to sell her on the services of his "private

³ Given that Defendant described the tank top as "paramilitary gear" and a "paramilitary uniform," it is unsurprising that he would also falsely claim that a person wearing a t-shirt in support of General Flynn was a "Flynn Operative."

intelligence agency.” He made allegations of corruption about Senator Pat Toomey and Congressman Brian Fitzpatrick, involving campaign finance and donations from financial institutions, which Ruth and Still believed were irresponsible and inflammatory.⁴ Because Defendant was then running in the Republican primary for U.S. Senate, Ruth was worried about him making unsubstantiated accusations publicly, so she agreed to meet with him at an upcoming event in Lancaster to hear him out and try to assuage his concerns. Prior to the meeting, Ruth performed her own research on Defendant’s allegations, confirming her initial reaction that they lacked merit.

25. In the interim, Defendant messaged with Ruth in a paranoid and nervous tone, asking about “targets,” demanding to know the identity of other participants in group texts, and asking to meet in person. Contrary to his claim of being required to give a speech in Lancaster to pass a “test,” the text messages show that Defendant *asked Ruth for permission* to give a speech in Lancaster. She

⁴ Defendant has a long history of making such allegations about Senator Toomey, although Ruth and Still were not aware at the time. During the 2016 Pennsylvania primary for U.S. Senate, Defendant authored a petition, calling for the resignation of Senator Toomey and accusing him of “Continuing Ethics Violations”. Everett Stern, *Petition: The Resignation of Senator Pat Toomey*, CHANGE.ORG, archived at INTERNET ARCHIVE WAYBACK MACHINE (last visited Nov. 3, 2023), *available at* <https://web.archive.org/web/20220324075509/https://www.change.org/p/u-s-senate-the-resignation-of-senator-pat-toomey>. Defendant—who identified himself in the petition as “United States Senate Candidate” and “the HSBC Whistleblower”—suggested that Senator Toomey accepted campaign contributions from HSBC as a corrupt *quid pro quo* for lenience in the government investigation of HSBC and implied a connection between Senator Toomey and terrorist financing. In 2017, Defendant sat for an interview with Russia Today, in which he claimed that he was going to “throw [Senator Toomey] in jail for being a traitor to an enemy bank.”

responded that she was not responsible for the event and recommended that he reach out to the organizers. Defendant, unsatisfied, asked Ruth:

May you please reach out to them for me or provide the organizers number. It would be an honor to speak and they would like to hear what I have to say. (emphasis added)

Ruth politely declined to speak on his behalf but provided Defendant with the phone number for one of the event organizers. No one invited or asked Defendant to speak.

26. When Ruth met Defendant at the Lancaster event, she advised him that his claims of corruption against Toomey and Fitzpatrick appeared to be unsubstantiated and that the donations they received from financial institutions appeared perfectly legal. She told Defendant that if he did not have evidence of corruption, he should stop making irresponsible allegations, and that if Defendant did substantiate his claims, he should handle the issue more professionally. From that point on, Ruth ceased contact with Defendant.

27. At no point did Ruth, Still, or anyone affiliated with them or their grassroots organization, Patriot Caucus, hire or attempt to hire Defendant or his company. They never provided Defendant with “targets,” never asked him to research or get “dirt” on anyone, and never suggested committing “domestic terrorism.” Moreover, and more importantly, none of this had *anything* to do with General Flynn.

28. In spite of this, Defendant repeated *ad nauseam* his fabrications that General Flynn was involved in a non-existent blackmail, extortion, and domestic terrorist plot, on Twitter, in YouTube videos, and even in a book.

29. In May 2022, General Flynn filed a defamation lawsuit against Defendant in the United States District Court for the Middle District of Florida for

his lies.⁵ That lawsuit settled on January 5, 2023. Unfortunately, Defendant has not stopped defaming General Flynn.

Defendant continues to defame General Flynn after settlement.

30. Since January 6, 2023, Defendant has posted on X (formerly Twitter) about General Flynn no fewer than 175 times. Ironically, in his first statement of this post-settlement timeline, Defendant claims that he is “going back off social media.”

31. It did not take long for Defendant to get back on social media and resume his baseless attacks. On January 24, 2023, Defendant stated that he was “desperate to take Flynn down,” and falsely claimed that a “Flynn Operative” told him, “We will accomplish the mission by any means necessary, including the use of domestic terrorism!”:



Everett Stern
@EverettStern1

...

Why was I so desperate to take Flynn down and still am? Because when I hear a Flynn Operative say "We will accomplish the mission by any means necessary, including the use of domestic terrorism!" Then yes, I am going to go ballistic to protect the United States.

9:24 AM · Jan 24, 2023 · 10K Views

⁵ *Flynn v. Stern*, No. 8:22-cv-1250-TBS (M.D. Fla., docketed May 31, 2022).

32. Defendant followed that up with another post, calling General Flynn a “real deadly enemy”:



33. On January 28, 2023, Defendant stated that he was preparing for “another fight” with General Flynn, and that “next time I will win”:



34. On February 19, 2023, Defendant stated that he was “livid and beyond angry” about General Flynn receiving a settlement in the prior defamation lawsuit, calling it “disgusting.” He then falsely states that he witnessed crimes for which General Flynn “will go to jail,” including “Domestic Terrorism and interference with our elections!!!”

35. On April 6, 2023, Defendant reposted the full video of his October 31, 2021, press conference, described above, in which he falsely alleged that General Flynn was involved in a domestic terrorism plot and that General Flynn was

“committing treason against the United States” and that he was creating “paramilitary operations” in various states.⁶

36. On June 9, 2023, Defendant falsely stated that General Flynn had conspired to “overturn the 2020 election in favor of Trump through extortion and blackmail.” Defendant also adds on a new lie at this point, falsely asserting that General Flynn “created” the QAnon movement:



37. On June 25, 2023, Defendant falsely stated that he “witnessed the Flynn blackmail extortion plot”:



38. On June 26, 2023, Defendant published a video podcast (the “Podcast”) in which he repeats his fabrication about General Flynn being involved in a blackmail and extortion plot.⁷ He then stammers between several conspiracy theories, falsely

⁶ @EverettStern1, X (Feb. 19, 2023, 5:53 p.m.), <https://twitter.com/EverettStern1/status/1627441145356730369>.

⁷ Everett Stern, *New intelligence and explanation into General Flynn, Trump, Fmr. FBI Counterintelligence Chief Charles McGonigal*, THE STERN TRUTH PODCAST (Jun.

implying that General Flynn is a traitor and working for Russia. Defendant falsely states that “Flynn was in jail, in federal prison with, with Roger Stone, uh, a couple of guys from Blackwater” and that General Flynn in fact committed the crime of lying to the FBI.

39. On July 7, 2023, Defendant posted a YouTube video clip from the Podcast, which includes his false accusations that General Flynn was involved in a blackmail, extortion, and domestic terrorism scheme⁸:



40. On July 31, 2023, Defendant made new and bizarre allegations, claiming that “[t]he General Flynn situation is escalating rapidly. I am not being left alone by

26, 2023), *available at* <https://podcasts.apple.com/us/podcast/the-stern-truth-podcast/id1693400449>.

⁸ @EverettStern1, X (Jul. 7, 2023, 8:49 a.m.), <https://twitter.com/EverettStern1/status/1677298725113266176>.

his people.” Defendant then falsely accuses General Flynn of threatening him and his family:



41. On October 12, 2023, Defendant begins a flurry of paranoid and defamatory X posts, each post in reply to the prior post (collectively and colloquially known as a “thread”), falsely alleging without any basis that General Flynn is utilizing a “dangerous group” called the Aracari project to conduct illegal actions “against Americans and Democracy.” **Exhibit 1.** In the thread, Defendant falsely alleges:

- a. that a “Flynn Operative” “posted a target photo of [Defendant’s] wife”;
- b. that Aracari Project is “a Flynn backed organization” that is “running man in the middle operations against Americans stealing credit card information”;
- c. that General Flynn is “using foreign spies to harm American Democracy”;



- d. that General Flynn utilized Aracari Project to target, threaten, and attack Defendant's family;
- e. that General Flynn is an "extortionist";
- f. that General Flynn is involved in a "Criminal Collaboration";
- g. that Defendant received "disgusting, threatening, and extortionary text messages" from General Flynn.

42. On October 18, 2023, Defendant posted a lengthy rant on Substack, titled "Criminal Collaboration: General Flynn, Offshore Alert & Aracari Project" in which he repeats the same false allegations about General Flynn as he did in the X thread described above. **Exhibit 2.** In the Substack post, Defendant falsely alleges:



- a. that General Flynn "collaborate[s]" with Aracari Project, which he describes as a criminal organization that "jeopardizes national security" and that this collaboration "constitutes criminal activity";
- b. that General Flynn hired Aracari Project and directed them to post personal photos of Defendant's family members on social media and make "veiled [sic] threats of violence" against them;
- c. that "[t]his partnership between a disinformation agent, a cybercriminal, and a disgraced former general poses a clear threat to the national security of the United States";
- d. that General Flynn threatened "innocent individuals with cyber attacks and disseminating false information".

43. On October 19, 2023, as part of the X thread described above, Defendant posted images of a hostile text message exchange between Defendant and someone who identifies himself as Chris, but whom Defendant addresses as Will. Defendant claims that he received these “threatening” and “extortionary” texts from General Flynn. **Exhibit 3.** The texts are, on their face, not from General Flynn, nor were they sent by anyone affiliated with, on behalf of, or at the direction of General Flynn.

44. On October 20, 2023, Defendant posted on X, directing the message at the FBI and DOJ Criminal Division, falsely claiming that General Flynn sent him “criminal text messages” via the Aracari Project:

 **Everett Stern**  @EverettStern1

[@FBI](#) [@DOJCrDiv](#) These are the criminal text messages I am receiving from General Flynn through the The Aracari Project with the help of David Marchant the CEO of a company called Offshore Alert. Lindsay Moran Fmr. CIA officer of 5 years is part of this & is in violation of federal law.

 **Everett Stern**  @EverettStern1 · Oct 19

Replying to @EverettStern1

I am now going to post the disgusting, threatening, and extortionary text messages I have received from The Aracari Project including General Flynn @GenFlynn, Lindsay Moran @LindsayMoran, William B. Ruzich, and Keyson Uteley. I warn everyone that they are disturbing.



11:59 AM · Oct 20, 2023 · 328 Views

45. The statements described above, from Paragraphs 30 through 44 are collectively referred to as the “Defamatory Statements.”

46. Just like his prior accusations about General Flynn being involved in a “domestic terror” plot, Defendant’s new accusations about General Flynn being involved in Aracari Project—threatening and extorting Defendant and stealing financial information—are entirely fabricated. General Flynn has no idea who or what the Aracari Project is, nor is he familiar with any of the people involved in it. Defendant has zero basis to assert otherwise. To claim that this is a “Flynn backed organization” or that General Flynn has anything to do with the criminal activities allegedly being committed by the Aracari Project or its people is knowingly or recklessly false. Given Defendant’s *modus operandi*, it is almost a certainty that Defendant’s underlying allegations about Aracari Project and its people are similarly fabricated, or, at best, wildly exaggerated.

47. Defendant does not attempt to conceal his malice toward General Flynn, openly stating his hatred and his desire to see General Flynn and even his family members prosecuted for imagined and invented crimes.

48. Defendant claims to have “lost everything” and that his business “went under” because of General Flynn. Defendant has described General Flynn as “pure evil,” and stated that he can “burn in hell.” Defendant has said that he is disgusted and “livid” at General Flynn.

49. Defendant has repeatedly described being at “war” with General Flynn. He has said that he is “going after” General Flynn’s businesses and his brother, Joe

Flynn, and that he is “desperate to take down Flynn.” Indeed, Defendant repeatedly sends his false accusations to the FBI and DOJ, in a malicious attempt to have General Flynn investigated and prosecuted.

50. Defendant’s Defamatory Statements about General Flynn are knowingly and recklessly false. He is following an old pattern, making outrageous and baseless allegations in his attempt to degrade General Flynn, a man who has honorably served this country for 33 years.

51. Defendant does this to prop himself up and pose once again as a hero. In reality, Defendant is a liar, driven by spite, jealousy, and base greed, whose malicious lies cannot go unanswered.

COUNT I
Defamation and Defamation *per se*

52. General Flynn realleges and incorporates the paragraphs above.

53. From January 6, 2023, and continuing to the present, Defendant has engaged in a nonstop smear campaign against General Flynn, repeatedly asserting what he knows to be false, including the following allegations:

- a. that General Flynn committed treason and sedition against the United States—a crime punishable by death;
- b. that General Flynn has committed or attempted to commit the crime of extortion and blackmail against elected officials;
- c. that Defendant witnessed crimes for which General Flynn will go to prison, including domestic terrorism and interference with elections;

- d. that General Flynn was setting up paramilitary operations in the United States;
- e. that General Flynn created the QAnon movement;
- f. that General Flynn spent time in jail or federal prison;
- g. that General Flynn committed the crime of lying to the FBI;
- h. that General Flynn, or operatives of General Flynn, threatened Defendant's family;
- i. that General Flynn or agents of General Flynn have committed crimes involving the theft of financial information.

54. All of these allegations and Defendant's Defamatory Statements are categorically false, and Defendant knew them to be false, or he made them with reckless disregard for the truth.

55. Defendant published his Defamatory Statements to tens of thousands of people on the internet, including via X, YouTube, Substack, and Apple podcast. Defendant's postings, as intended by Defendant, have been reposted and reshared online to thousands more.

56. Defendant's Defamatory Statements are reasonably understood to be statements of fact, rather than hyperbole or opinion, as demonstrated not only by the language used by Defendant, but by the reactions and comments of hundreds of individuals who responded to and reposted Defendant's statements.

57. The Defamatory Statements have directly and proximately caused General Flynn to suffer significant damages, including direct damages, damages to

his reputation, humiliation, embarrassment, mental anguish, anxiety, and fear for his safety and the safety of his family members, all of which are ongoing in nature and will be suffered in the future. These damages were foreseeable to Defendant.

58. Defendant, therefore, is liable for compensatory damages.

59. Defendant is also liable for punitive damages because of the wanton and outrageous nature of the defamation. Because Defendant had a specific intent to harm General Flynn and because Defendant's Defamatory Statements did harm General Flynn, there is no statutory cap on such damages.

60. The Defamatory Statements are also defamatory *per se*. Defendant outright accuses and implies that General Flynn committed one of the most serious crimes imaginable for a three-star general: treason against his country. Defendant accuses General Flynn of committing or attempting other infamous crimes, including blackmail, extortion, domestic terrorism, interference with elections, theft of financial information, and lying to the FBI. The Defamatory Statements subject General Flynn to hatred, ridicule, contempt, or disgrace. Such accusations impute to General Flynn conduct that would make him unfit to properly exercise his lawful businesses of promoting election integrity and transparency, of promoting pro-America policies, organizations, and political candidates, and of raising money for non-profit organizations. The Defamatory Statements are inherently injurious.

61. Defendant acted with actual malice and reckless disregard for the truth, as demonstrated by Defendant's extreme antipathy, ill-will, and desire to inflict harm

on General Flynn, his blatant fabrications, his actual knowledge of the falsity of many of his statements, and his reckless disregard for truth regarding many others.

COUNT II
Injurious Falsehood

62. General Flynn realleges and incorporates the paragraphs above.

63. General Flynn is currently engaged in the business of promoting election integrity and reform.

64. Defendant's Defamatory Statements, accusing General Flynn of being a traitor, of participating in domestic terrorism and sedition, and of committing or attempting to commit the crimes of extortion, blackmail, election interference, and financial crimes, directly concern General Flynn's business.

65. Defendant intended for his Defamatory Statements to destroy General Flynn's reputation, to ruin his ability to participate in politics, elections, and policy advocacy, and to harm him financially. Defendant reasonably recognized and intended that the publication of his Defamatory Statements about General Flynn would result in pecuniary loss.

66. Defendant has explicitly stated his intent to damage General Flynn's pecuniary interests and to target his businesses.

67. General Flynn has suffered direct pecuniary losses as a result of Defendant's Defamatory Statements, including costs associated with lost business opportunities and money spent to defend his own reputation, in an amount to be proven at trial.

Prayer for Relief

WHEREFORE, Plaintiff Michael T. Flynn demands judgment against Defendant Everett Stern as follows:

- a. An award of compensatory, special, and punitive damages, as well as disgorgement of any and all income Defendant has made off of his lies about General Flynn, in an amount to be proven at trial, but no less than ten million dollars (\$10,000,000.00);
- b. Injunctive relief prohibiting the publication or republication of the Defamatory Statements;
- c. An award of Plaintiff's costs associated with this action; and
- d. Such other and further relief as the Court deems just and appropriate to protect Plaintiff's rights and interests.

Demand for Jury Trial

Plaintiff demands a trial by jury on all issues so triable.

Dated: December 5, 2023

MICHAEL T. FLYNN

By Counsel

Respectfully submitted,

/s/ Jared Roberts

Jared J. Roberts

(Fl. Bar No. 1036550)

BINNALL LAW GROUP, PLLC

717 King Street, Suite 200

Alexandria, Virginia 22314

Phone: (703) 888-1943

Fax: (703) 888-1930

Email: jared@binnall.com

Counsel for Plaintiff

**Everett Stern** ✓

@EverettStern1

...

@FBI General Flynn is using a firm called The Aracari Project to work against Americans and Democracy. They state on their twitter "We reject the notion that all problems require a lawful solution." This is a dangerous group conducting illegal activities against Americans.

The Aracari Project

@AracariProject

The Aracari (äɾə'käɾə) Project is a British-American Private Intelligence Agency. Here, we reject the notion that all problems require a lawful solution.

📁 Professional Services 📍 London, United Kingdom 🔗 aracariproject.co.uk

📅 Joined November 2022

162 Following 7 Followers

Not followed by anyone you're following

10:44 PM · Oct 12, 2023 · 22K Views



27



333



587



26



Post your reply

Reply

**Everett Stern** ✓ @EverettStern1 · Oct 12

...

@LindsayMoran It states on the Aracari Project website that you are the director of HUMINT intelligence operations. Is this true? Are you having your resume Hijacked or are you really affiliated with a group working against our democracy and promoting illegal activities?



1



32



74



2.9K

**Everett Stern** ✓ @EverettStern1 · Oct 12

...

@OffshoreAlert Why are you promoting the Aracari Project when they clearly state "they reject the notion that all problems require a lawful solution." Why are you having a Flynn backed organization working against American Democracy at your conference?



1



34



71



3.1K

**Everett Stern** ✓ @EverettStern1 · Oct 12

...

I want to know why William B. Ruzich who is a Flynn Operative that posted a target photo of my wife on twitter is running a "Private Intel Agency" stating that they reject the lawful solutions of problems. I also want to know why a fmr. CIA Officer is on the Aracari Project site?



1



23



77



2.2K



**Everett Stern**  @EverettStern1 · Oct 12

The @CIA Inspector General needs to take a look as to why a fmr. CIA officer @LindsayMoran is on a foreign website "Private Intel Agency" that states they do not believe in the lawful solutions to problems. Why is General Flynn using foreign spies to harm American Democracy?

3

33

89

2.3K

**Everett Stern**  @EverettStern1 · Oct 12

@SPYSCAPE1 @spymuseum Did you receive calls from foreign spies & cyber criminals to remove me from your lineup & take down the True Spies Podcast? I have evidence you did. You caved under the pressure of General Flynn. Are you siding with Trump & Flynn?

1

14

35

2K

**Everett Stern**  @EverettStern1 · Oct 12

Anyone and I mean anyone associated with The Aracari Project is going to end up in jail. The group is running man in the middle operations against Americans stealing credit card information.

1

21

54

2.8K

**Everett Stern**  @EverettStern1 · Oct 12

@Genflynn Did you or did you not hire The Aracari Project using William B. Ruzich to target my family and work against Democracy? Are you using foreign intelligence officers to accomplish your domestic terrorism mission?

2

22

44

2.3K

**Everett Stern**  @EverettStern1 · Oct 13

@FBI @DOJCrimDiv This is what Aracari Project says on LinkedIn. I would check out their employees...

About

The Aracari (ära'särë) Project is a British-American Private Intelligence Agency, or PIA, with offices in both The United Kingdom & The United States. Here, we reject the notion that all problems require a lawful solution. Your adversaries don't play by the rules, & neither do we. We are strictly results driven.

We at The Aracari Project launch complex intelligence operations that are custom tailored to your unique situation. Our methods employ CIA & MI6 tradecraft to provide the most precise accuracy when carrying out our operations. We offer free consultations so that you can tell us about your situation and ask us any questions you may have so that we may address your concerns to the fullest.

3

24

46

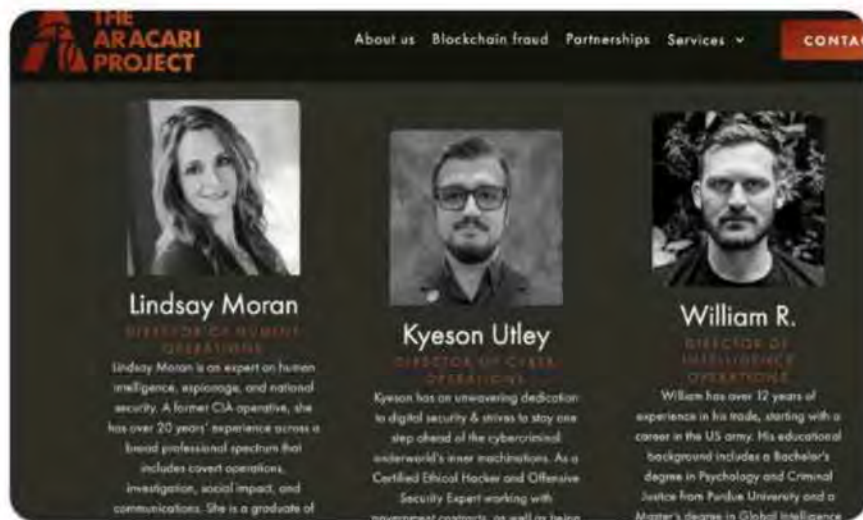
3.1K





Everett Stern [@EverettStern1](#) · Oct 13

[@FBI](#)

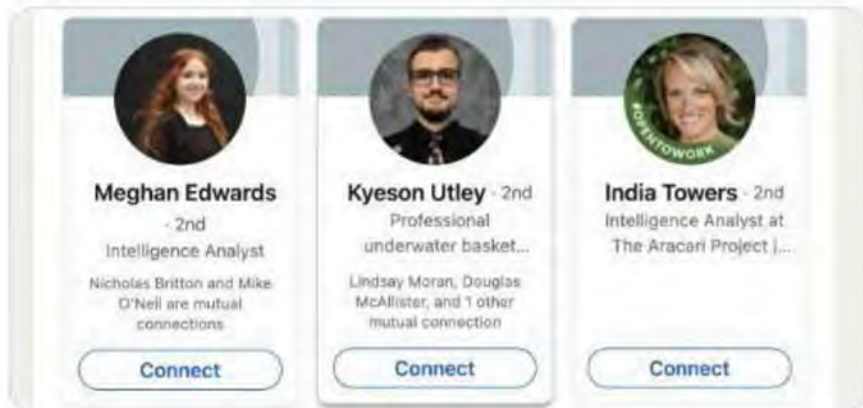


1 22 27 2.1K



Everett Stern [@EverettStern1](#) · Oct 13

[@FBI](#) These are some of the employees of The Aracari Project that is using foreign spies to work against America and Democracy. Aracari Project clearly states on LinkedIn and Twitter that they believe it is okay to commit illegal acts to accomplish their mission.



3 31 39 2.1K



Everett Stern [@EverettStern1](#) · Oct 13

[@spyscape](#) Why is Spyscape Entertainment listening to Flynn & Trump's people to remove me. I have evidence The Aracari Project called them & filed numerous false complaints against me. It is also interesting that Spyscape is promoting fmr. KGB & Russian Spies now.


1 4 16 963

- Everett Stern**  @EverettStern1 · Oct 13 ...
- My legal team is exploring options with a Federal Lawsuit against The Aracari Project because they admit to criminal activity & they have gone after my wife and 12 year old son. I will not stand for any "Intelligence Org" especially a Flynn backed one from harming Americans.
- 2 12 56 2.5K
- Everett Stern**  @EverettStern1 · Oct 13 ...
- [@LindsayMoran](#) you are a former CIA officer listed on a cyber criminals website. This group is working against Americans with possible ties to Russia. If they are just using your resume then you need to make a public statement denouncing the group. Otherwise, you are with them.
- 1 10 33 2.4K
- Everett Stern**  @EverettStern1 · Oct 13 ...
- [@LindsayMoran](#) did you take part as head of HUMINT intelligence according to The Aracari project website in threatening my wife & 12-year-old son? Are you with this group or not? If you are with this group then I look forward to seeing you in Federal Court.
- 1 13 23 2.1K
- Everett Stern**  @EverettStern1 · Oct 14 ...
- [@OffshoreAlert](#) Is promoting the Aracari project at their annual conference therefore promoting criminal activity. The CEO of Offshore Alert was notified that the Aracari project is Flynn-backed & clearly states that they do not believe in following the law. CEO does not care...
- 1 12 16 1.6K
- Everett Stern**  @EverettStern1 · Oct 14 ...
- Boycott the [@OffshoreAlert](#) annual conference and the company. Investigate the Aracari Project and Offshore Alert. Do not support a company that promotes Flynn and criminal activity. Support companies that believe in protecting Democracy.
- 1 10 30 1.7K
- Everett Stern**  @EverettStern1 · Oct 14 ...
- I sincerely urge and ask the OSINT community to research The Aracari Project and Offshore Alert. There is something very wrong going on.
- 1 13 24 1.3K

Everett Stern  @EverettStern1 · Oct 14 ...


The CEO of Offshore Alert is David Marchant [@DEM_Offshore](#) He is with the people threatening my wife & 12 year old son? Look him up and see what he is involved in. He is promoting Flynn & William B. Ruzich at his [@OffshoreAlert](#) conference.

3 10 18 1.2K

Everett Stern  @EverettStern1 · Oct 14 ...

[@FBI](#) [@DOJCrImDiv](#) David Marchant and his company Offshore Alert. Please take a closer look...

2 9 16 1.8K

Everett Stern  @EverettStern1 · Oct 14 ...

[@FBI](#) [@DOJCrImDiv](#) David Marchant - the Owner of Offshore Alert and connected to The Aracari Project.




hackmd.io

The Dark Side Of David Marchant: The Story Behin...


The Dark Side Of David Marchant: The Story Behind His Blog # Johnny Burris David Marchant is...

1 2 14 2K

Everett Stern  @EverettStern1 · Oct 14 ...

I will not allow my family to be attacked by Flynn via The Aracari Project and then promoted by David Marchant the owner of a company called Offshore Alert.

2 6 34 1.9K

Everett Stern  @EverettStern1 · Oct 14 ...

David Marchant is apparently an extortionist like Flynn.



timebusinessnews.com

1 8 24 2.2K



Everett Stern  @EverettStern1 · Oct 14

I am wondering how much money David Marchant the CEO of offshore alert is being paid by Flynn?

1

1

16

1.5K



Everett Stern  @EverettStern1 · Oct 18

Criminal Collaboration: General Flynn, Offshore Alert & Aracari Project, by @EverettStern1 open.substack.com/pub/everettste...

2

4

10

1.5K



Everett Stern  @EverettStern1 · Oct 18

@FBI @DOJCrimDiv Criminal Collaboration: General Flynn, Offshore Alert & Aracari Project
open.substack.com/pub/everettste...



1

2

11

1.7K





Everett Stern  @EverettStern1 · Oct 18

Offshore Alert CEO David Marchant has sparked controversy due to alleged dissemination of disinformation & false narratives. Marchant, who poses as a journalist targets individuals and organizations he disapproves of, resorting to intimidation, extortion, and abuse.



1

7

14

2.9K



Everett Stern  @EverettStern1 · Oct 18

@LindsayMoran why are you targeting me and my family? Why are you part of a group that admits openly that they commit crimes against Americans? Why is @spymuseum @SPYSCAPE1 promoting @LindsayMoran when she is part of a criminal group?

1

4

10

1.9K



Everett Stern  @EverettStern1 · Oct 19

Since posting this thread the Aracari project founders Lindsay Moran, Keyson Uteley, and William B. Ruzich have changed their social media & site. Take a look at Spooky Good LLC & Orange Jungle Studio LLC. How does the @FBI allow for a company to advertise criminal activity?

2

6

19

1.9K





Everett Stern @EverettStern1 · Oct 19

I am now going to post the disgusting, threatening, and extortionary text messages I have received from The Aracari Project including General Flynn @GenFlynn, Lindsay Moran @LindsayMoran, William B. Ruzich, and Keyson Uteley. I warn everyone that they are disturbing.



2 19 29 2.5K



Everett Stern @EverettStern1 · Oct 19

@FBI In these text messages, it is admitted to that a conversation took place with General Flynn. The Aracari Project is Flynn-backed and has been targeting me and my family since the Flynn v. Stern Federal Lawsuit.

1 8 15 998



[REDACTED] · Oct 13

Old enough to remember when actions like these would end up in a Looong jail sentence. Now we are truly on our own. Feels like a ticking time bomb.

2 1 165



Everett Stern @EverettStern1 · Oct 13

I am warning Americans & already filed formal complaints with the USG. This is a dangerous situation for a group to be helping Flynn spread disinformation and work against Americans. I know for a fact they are running man-in-the-middle operations to steal financial info.

2 6 190



Criminal Collaboration: General Flynn, Offshore Alert & Aracari Project



EVERETT A. STERN

OCT 18, 2023



3



Share

Offshore Alert has gained notoriety for fabricating stories, extorting, and targeting individuals and organizations it holds animosity towards. Under the leadership of CEO David Marchant, Offshore Alert shamelessly exploits people's fears and spreads misinformation for personal gain. Marchant even fled England for Miami to avoid prosecution by those he victimized. As if that weren't enough, they have now joined forces with Aracari Project, a self-proclaimed "private intelligence company" openly admitting to engaging in illegal activities for financial gain. This collaboration, featuring a team including former Central Intelligence Agency (CIA) operative Lindsay Moran, cyber actor Kyeson Utley, and Intelligence Director William Ruzich, poses a significant threat to national security and the general public. Their dangerous tactics, which include harassment, intimidation, and unlawful actions, have prompted reports to the FBI and Inspector General, raising concerns about the impact on American national security.

Stay alert! Offshores is Off-base

David Marchant serves as the CEO of Offshore Alert, a website and Twitter account that has sparked controversy due to alleged dissemination of disinformation and false narratives. Marchant, who poses as a journalist, exploits Offshore Alert as a platform to target individuals and organizations he disapproves of, resorting to intimidation, extortion, and abuse. His tactics have earned him a dubious reputation by leveraging people's fears and promoting his individual hubris, causing many to question the authenticity of his information.



Marchant actively endorsed members of the Aracari Project, a self-proclaimed "private intelligence company" that openly rejects lawful solutions to problems. This collaboration underscores their lack of moral compass, as the Aracari Project openly admits to engaging in illegal activities and profiting from them. With an absence of restraint and a penchant for questionable practices, the Aracari Project not only jeopardizes national security but also poses a potential danger to the public.

It is worth noting that Marchant relocated from England to Miami, seemingly in an effort to evade prosecution by those he allegedly victimized. This aspect further fuels skepticism surrounding his activities and underscores the questionable nature of his business endeavors. Ultimately, the association between Offshore Alert, the Aracari Project, and Marchant himself raises concerns about their potential detrimental impact on both national security and the general public.

Aracari Project and their Rejection of Lawful Solutions

The Aracari Project is an organization that openly embraces unlawful methods to achieve its objectives. This may explain why General Flynn has chosen to collaborate with them. He seeks individuals who prioritize personal gain over the Constitution and our legal system all to willing to take a profit at the cost of our democracy. The organization has a brief history marred by a disregard for the rule of law and a willingness to engage in illegal activities for their own benefit.

The origins of the Aracari Project can be traced back to its founders' desire to operate outside the boundaries of conventional laws and regulations. They proudly advertise the rejection of lawful solutions, resorting instead to personal attacks, threats, and a willingness to operate in the realm of illegality.

The founding members of the group are Lindsay Moran, Kyeson Utley, and William R. Ruzich. Lindsay Moran has self-proclaimed experience in human intelligence, espionage, and national security, although she was unable to maintain her cover as a CIA operative. Kyeson Utley is in the trusted position of a licensed private investigator focused on cyber security, while being accused of engaging in man-in-the-middle attacks to steal personal and credit card information from American citizens. William R. Ruzich, the director of intelligence, has been involved in highly concerning operations, including making threats towards my family on social media. He has a history of betrayal releasing illegally hacked highly confidential material to spearhead a denigration campaign.

Not only has the Aracari Project been built upon a foundation of willingness to partake in illegal activities, but they have also monetized these operations, further highlighting their disregard for the rule of law. It is likely that they have expanded their activities to foreign territories. It is crucial to recognize the potential consequences of such behavior. The Aracari Project, by indulging in illegal activities and seeking monetary gains, not only poses a threat to national security but also endangers the general public. Their actions set a dangerous precedent and underscore the need for vigilant oversight and intervention from law enforcement agencies.

The time has come to take a firm stance against the Aracari Project and its blatant disregard for the rule of law. As an organization, they have operated with impunity due to their secrecy and willingness to employ unethical means. However, their actions have

not gone unnoticed; they have been identified and are now being reported to various government agencies.

William B. Ruzich is involved in unauthorized activities

William Ruzich is involved in a campaign of harassment and illegal activities, specifically through the reprehensible practice of spoofing phone numbers. This unethical behavior has targeted numerous individuals, causing immense distress and posing a serious threat to their safety and privacy. His association as an agent for General Flynn and a keynote speaker for Offshore raises alarm bells, speaking volumes about the nature and intentions of Ruzich's activities.



It is evident that Ruzich operates without any moral or ethical boundaries, as his actions have been involved in numerous incidents of harassment, leaving victims with unsettling experiences. By maliciously spoofing phone numbers, he creates an illusion that the calls originate from trusted sources, instilling fear and confusion in the targeted individuals.

Moreover, Ruzich's use of spoofed phone numbers empowers him to carry out vindictive actions, such as publicly sharing personal information and photos of individuals' loved

ones on social media platforms. This invasive and disturbing behavior leaves victims vulnerable and exposed to potential harm.

These incidents of harassment and the use of spoofed phone numbers by Ruzich have had a detrimental impact on the targeted individuals and their families. They not only endure extreme emotional distress but also face the risk of physical harm due to the public exposure of their personal details. This abhorrent behavior demonstrates a complete disregard for the well-being of others and reveals the dangerous extent to which Ruzich is willing to go in his quest to intimidate and threaten.

The Criminal Nature of the Collaboration between Marchant, Ruzich, and Flynn

The collaboration involving David Marchant, William R. Ruzich, and General Flynn not only promotes unethical behavior but also constitutes criminal activity. Their collective actions and intentions reveal a flagrant disregard for the law, posing a significant threat to national security.

Marchant, the CEO of Offshore Alert, has a history of targeting individuals and organizations he dislikes, exploiting his platform to intimidate and mistreat others. He manipulates people's fears and curiosity for personal gain, operating a fraudulent website to propagate false narratives. It is evident that Marchant's actions aim to exploit innocent individuals.

Ruzich, the director of intelligence for the Aracari Project, has engaged in a malicious operation to intimidate the writer's family. This operation involves posting personal photos of family members on social media and veiled threats of violence. The direction for these actions comes from their client, General Flynn. Ruzich has a history of misrepresentation, extortion attempts, and veiled threats. He illegally obtained confidential information through cyber hacking. In the past, Ruzich has also unfairly targeted CIA officers, further emphasizing his criminal behavior.

General Flynn's involvement in this collaboration only exacerbates the gravity of the situation. By aligning himself with a known disseminator of disinformation and engaging in illegal activities, Flynn undermines the integrity of national security and the principles of justice. All while making inexplicable petitions to supports to donate “pennies, nickels, dimes, quarters” to help him fight his subpoenas.

The criminal collaboration involving Marchant, Ruzich, and General Flynn has been officially reported to both the FBI and the inspector general. It is crucial that authorities conduct a thorough investigation and enforce accountability for their unlawful actions. Additionally, it is imperative to ensure that none of these individuals possess or maintain a security clearance. Given that the national security of America is at stake, it is of utmost importance to promptly address this issue in a comprehensive manner, upholding the highest standards of integrity and justice.

Conclusion:

In conclusion, the actions of David Marchant, William R. Ruzich, and General Flynn in their collaboration with the Aracari Project raise serious concerns about their integrity and commitment to the rule of law. Their involvement is highly troubling, as it brings into question their ethical conduct and fidelity to the principles that govern our society.

David Marchant, the CEO of Offshore Alert, has a long history of targeting individuals and organizations he dislikes, using his website to spread false information. His tactics of intimidation and abuse are not only unethical but also detrimental to those who become victims of his slanderous campaigns. Marchant's actions are driven by personal vendettas rather than a genuine pursuit of truth.

William R. Ruzich, as the director of intelligence for the Aracari Project, plays a pivotal role in orchestrating illegal activities and engaging in cyber threats. His alleged involvement in man-in-the-middle attacks on American citizens is both morally reprehensible and criminal. Furthermore, Ruzich's previous targeting of CIA officers raises serious concerns about his suitability for any role involving national security.

The involvement of General Flynn further exemplifies the dangerous nature of this collaboration. As a former national security advisor, Flynn should be upholding the principles of national security, not engaging in illegal activities and exploiting innocent individuals. This partnership between a disinformation agent, a cybercriminal, and a disgraced former general poses a clear threat to the national security of the United States.

It is imperative that authorities take immediate action to address the illegal and unethical behaviors displayed by Marchant, Ruzich, and Flynn. These actions

undermine the fabric of our society and jeopardize the safety and well-being of our citizens. Only through a swift and thorough investigation can we ensure that justice is served and our national security is protected.

It is time for the government to swiftly and decisively take action against David Marchant, William Ruzich, and General Flynn for their participation in this criminal collaboration. Not only have they acted against the law by threatening innocent individuals with cyber attacks and disseminating false information, but they have also undermined the values of our country. By engaging in such activities, these three individuals have demonstrated a complete disregard for the safety of our citizens and the principles of justice. We must hold them accountable and ensure that justice is served.



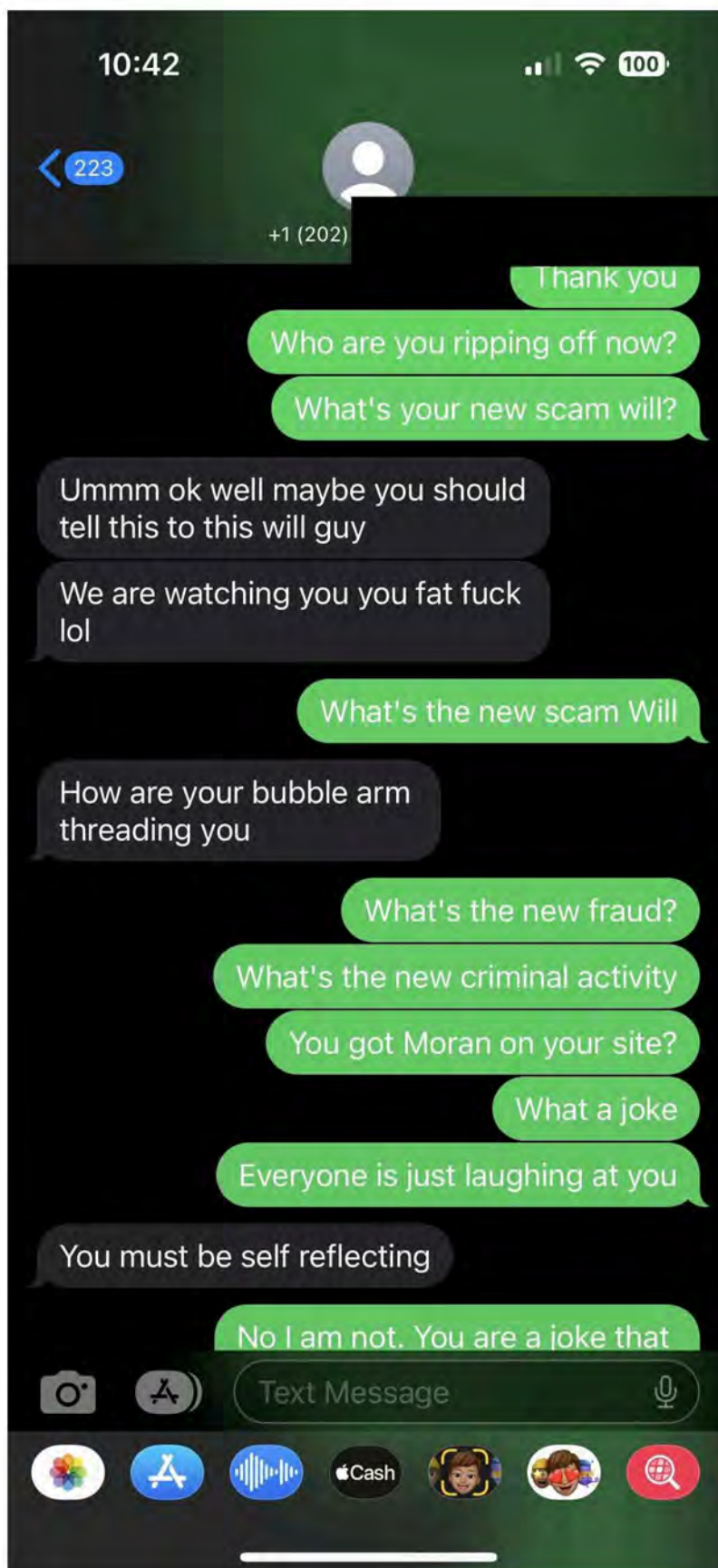
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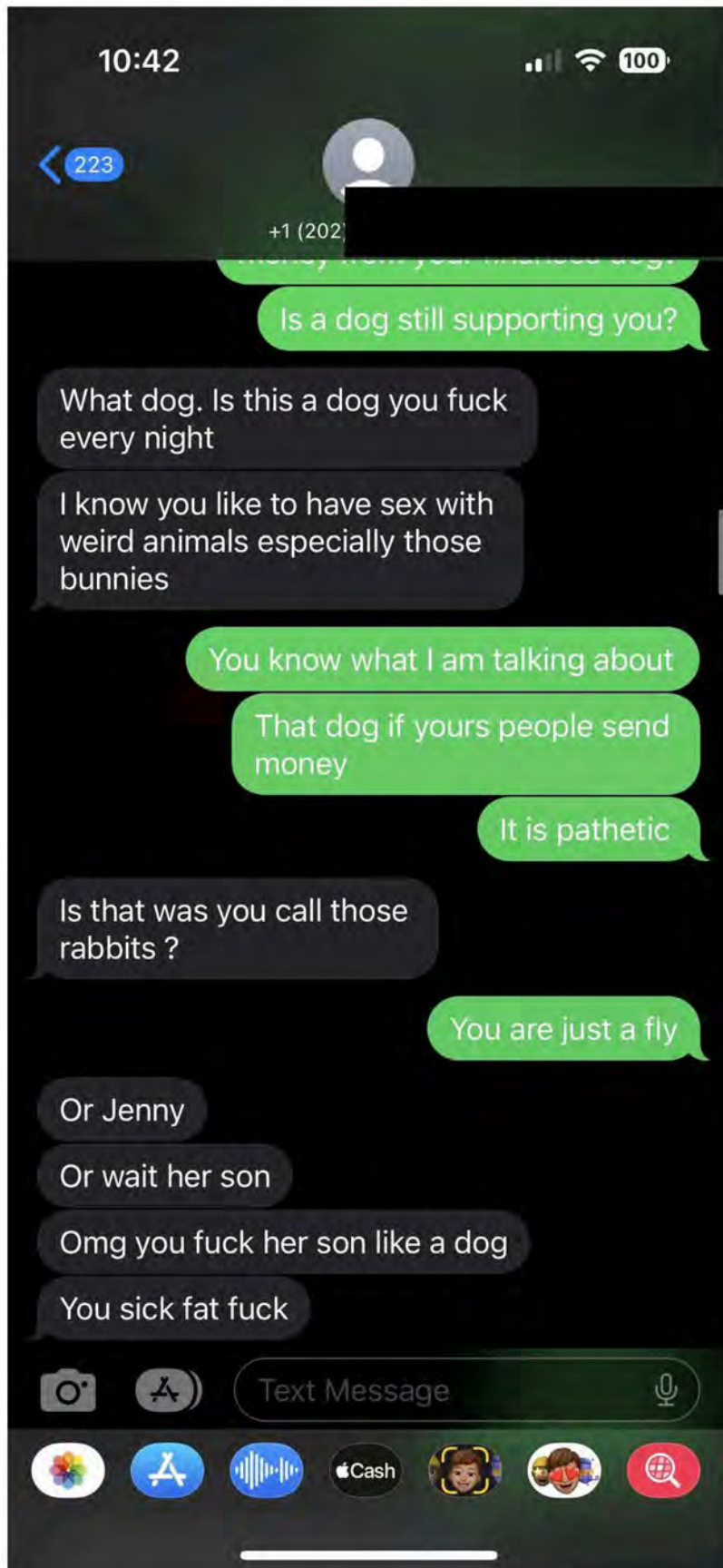
Comments



Write a comment...

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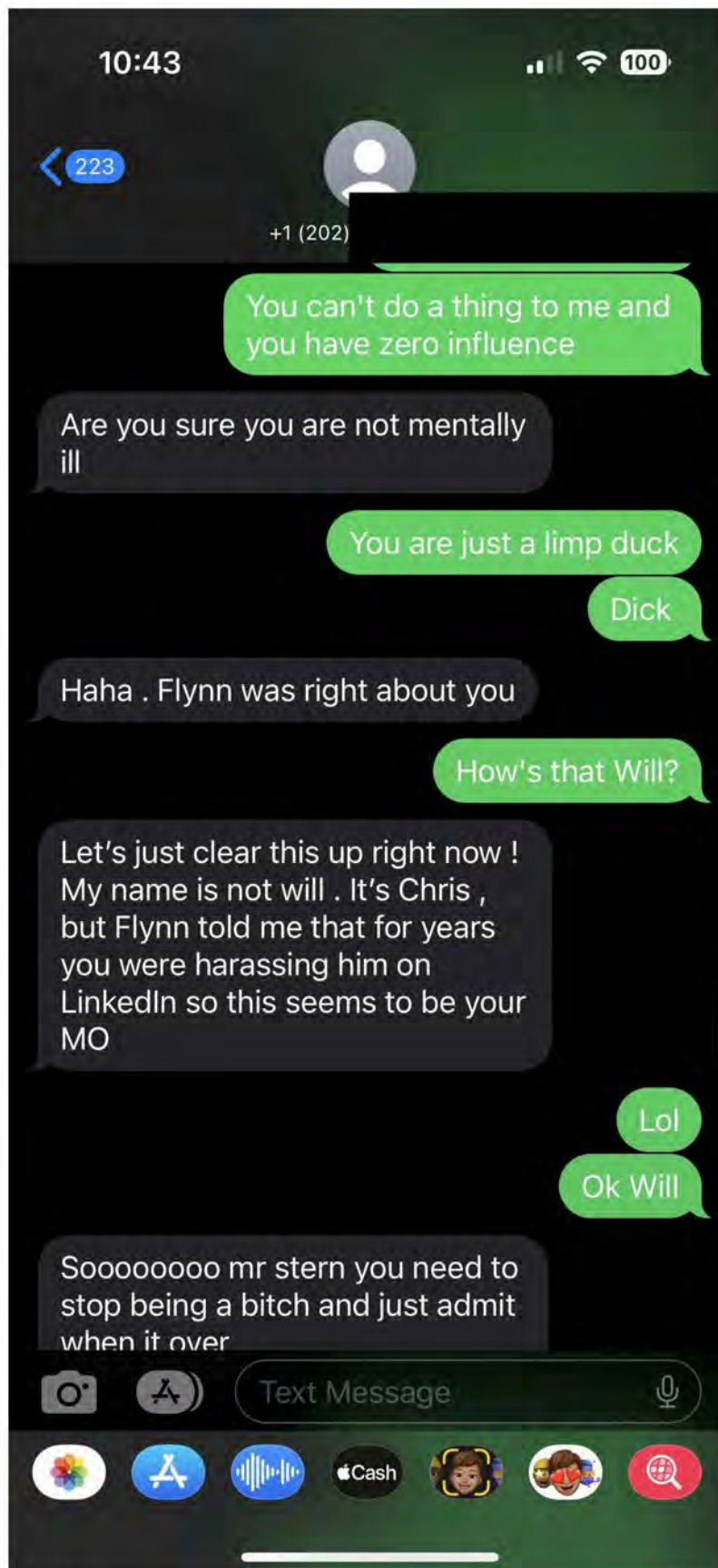




EXHIBIT P

Michael Flynn Is Still at War 2/1/24, 2:30

2/1/24, 2:30 PM Michael Flynn Is Still at War - The New York Times
<https://www.nytimes.com/2022/02/04/magazine/michael-flynn-2020-election.html> 1/13
The general tried to persuade Donald Trump to use the military to overturn the 2020 election. A year later, he and his followers are fighting the same battle by other means.

By Robert Draper

Published Feb. 4, 2022 Updated Feb. 6, 2022

To hear more audio stories from publications like The New York Times, download Audm for iPhone or Android.

On Nov. 25, 2020, President Donald J. Trump announced via Twitter that he was granting a full pardon to Lt. Gen. Michael T.

Flynn, his former national security adviser. Flynn pleaded guilty in 2017 to lying to federal investigators about his contacts

with Russia's ambassador to the United States during the presidential transition, though he had later tried to withdraw the

plea. A CNN report that evening reflected the conventional view in Washington that the pardon, arriving 18 days after the

presidential election was called for Joe Biden, was a near-final chapter of the Trump presidency,

"a sign Trump understands

his time in office is coming to a close.

"

At the time Trump announced the pardon, Flynn was encamped at the historic Tomotley estate in South Carolina, a more-

than-700-acre former plantation dating back to the 17th century, where enslaved people harvested rice until much of the

property was destroyed by federal troops at the close of the Civil War. Tomotley now belonged to L. Lin Wood, the Trump-

supporting defamation lawyer who sued Georgia election officials over the state's 2020 election results showing a Biden

victory and predicted that the state's Republican governor and secretary of state "will soon be going to jail.

" (One of his suits

was later dismissed; another is pending.) Though the next day would be Thanksgiving, Flynn had not brought his family with him. He had flown to South Carolina on the private jet of the former Overstock chief executive Patrick Byrne and set up camp at Tomotley, where he threw himself into the project of reversing the results of the election Trump had just lost.

The president and his loyalists, together and independently, had been working toward this end in various ways since Election Day. Byrne told me that he and Flynn's attorney, Sidney Powell, met with Trump's legal adviser Rudy Giuliani in Arlington, Va., shortly after the election to offer their assistance. Through Powell, Flynn soon became part of the group as well. Byrne said he had rented several rooms at the Trump Hotel for a few months — paying a full rack rate of about \$800,000 — which he, Flynn, Powell and others would move in and out of. Byrne considered the hotel "the safest place in D.C. for a command bunker .

" But Flynn suggested that they also establish a separate working area far from the Beltway. Powell contacted Wood, who agreed to host them at his secluded estate. As the group began to assemble in mid-November , Wood told me that he was surprised and "honored" to discover that Flynn, whom he had never met, was among his guests.

Powell had brought along two law associates. The other guests were there to gather and organize election information alongside her and Flynn. Among these was Seth Keshel, a 36-year-old former Army military intelligence captain who told me he got Flynn's attention three weeks earlier by sending what he believed were suspicious election data to Flynn's LinkedIn page. Another , Jim Penrose, was a cybersecurity specialist who had worked for the National Security Agency. A third, Doug Logan, was an associate of Byrne and the chief executive of a Florida-based software-security firm called Cyber Ninjas.

(Powell, Penrose and Logan did not respond to requests for comment.) Wood and Byrne said the group had brought computers, printers and whiteboards.

"It looked like Election Central,

" Wood recalled.

Flynn and the other men slept and ate at an adjacent property, Cotton Hall, but otherwise toiled in the main residence at Tomotley. In a podcast interview, Keshel recalled that when he woke up in the mornings, usually around 5:45 a.m., Flynn typically had "been up for several hours, " juggling "a few different cellphones at any given time.

" Keshel told me that while he spent his three weeks at Tomotley assembling data for Powell's legal filings, Flynn came and went without notice and did not always volunteer what he was working on. "General Flynn is very adept at need-to-know," he said.

Two days after Thanksgiving, Flynn spoke by phone with the Worldview Weekend Broadcast Network, a right-wing religious media outlet. Claiming that the 2020 election involved "probably the greatest fraud that our country has ever experienced in our history,

" he asserted that China was "not going to allow 2020 to happen, and so now what we have is this theft with mail-in ballots.

" A legitimate counting of the ballots would have resulted in a Trump landslide, he insisted.

"I'm right in the middle of it right now,

" Flynn said,

"and I will tell you that, first of all, the president has clear paths to victory.

"

While Powell was pursuing legal options for reversing the election results, Flynn was beginning to envision a military role.

"It's not unprecedented,

" Flynn, describing the nascent plan, insisted to the Newsmax host Greg Kelly on Dec. 17.

"I mean,

these people out there talking about martial law, like it's something that we've never done. Martial law has been instituted 64 times, Greg,

" he said, then added,

"I'm not calling for that.

"

But by that point, Flynn was in fact calling for sending in the military to the contested states. Byrne told me that by Dec. 16, he had lined up a series of options for the president to consider , including using uniformed officials to confiscate voting machines and ballots in six states. Flynn suggested to Byrne that the National Guard and U.S. marshals in combination would be the most suited to the job.

On the evening of Dec. 18, Flynn, Byrne, Powell and a legal associate took an S.U.V . limousine to the White House. The group

found their way into the Oval Office with the help of several eager-to-please White House staff members, including Garrett Ziegler, an aide to the Trump trade adviser Peter Navarro. (Navarro had released his own extensive, and swiftly debunked, report on election fraud the day before and was in the midst of lobbying Republican members of Congress to overturn the 2020 results.) Byrne, Flynn and Powell then made their case directly to the president about the options he had at his disposal, including Flynn's suggested use of the National Guard and U.S. marshals. According to Byrne, Powell handed Trump a packet that included previous executive orders issued by President Barack Obama and by Trump that the group believed established a precedent for a new executive order, one that would use supposed foreign interference in the election as a justification for deploying the military. In this operation, Byrne added, Flynn could serve as Trump's "field marshal."

White House lawyers present at the meeting vehemently denounced the plan.

According to Byrne, Flynn calmly replied:

"May I ask what it is you think happened on Nov. 3? Do you think there was anything strange about the election?" According

to another account of the meeting published by Axios, Flynn became livid.

"You're quitting!" he yelled at Eric Herschmann, a senior adviser to Trump.

"You're a quitter! You're not fighting!" (Byrne denies that Flynn said this.)

Trump was amenable to the idea of civilian authorities' seizing voting machines; in

November, he reportedly proposed the

idea of the Justice Department's doing so to his attorney general, William Barr, though Barr rejected it. But either by his own

judgment or on the advice of others, he seemed to draw the line at using the military.

Byrne told me that Giuliani recently

explained to him that he had counseled the president to reject such a plan because "we would all end up in prison."

(A lawyer

for Giuliani did not respond to a request for comment.) After Flynn and Powell's

proposal was rejected, Phil Waldron, a

retired Army colonel who served with Flynn and was now working with Powell's legal team, later offered his own revised

draft executive order, in which the Department of Homeland Security would be ordered to seize the machines. But Ken

Cuccinelli, the department's acting deputy secretary, resisted. (Waldron had presented his own martial-law plan to both

Flynn and Trump's legal team; it is unclear whether the plan that Flynn's group presented originated with him or Waldron.)2/1/24, 2:30 PM Michael Flynn Is Still at War - The New York Times

<https://www.nytimes.com/2022/02/04/magazine/michael-flynn-2020-election.html> 3/13

Flynn, meanwhile, continued to agitate for military intervention. Through an

intermediary, he contacted Ezra Cohen, the

Defense Department acting under secretary for intelligence, who served under Flynn both at the Defense Intelligence

Agency, where Flynn had been director, and on the National Security Council. Cohen (identified in other reports as Ezra

Cohen-Watnick) was traveling in the Middle East at the time; the intermediary told him that Flynn wanted him to return to

Washington right away.

The call, Cohen told me, was out of the blue. Although it has been reported that he and Flynn were close, he insisted that this

was not true: They overlapped at the D.I.A., but Cohen said they met for the first time in the spring of 2016, well after Flynn

left the agency, when Cohen wanted to solicit career advice from a veteran intelligence officer. Months later, Flynn recruited

him to serve on the N.S.C., but Cohen said they had spoken only briefly a couple of times since Flynn's departure from the

White House.

Cohen said he demurred, but Flynn called him a second time, shortly before Christmas, catching Cohen on his cellphone as

he was driving home from a Whole Foods in Maryland. He explained that he needed Cohen to direct the military to seize

ballots and voting machines and rerun the election.

Cohen said he was too stupefied to ask his former boss how he thought Cohen had the authority to do such a thing.

"Sir, the

election is over,

" he said, according to the ABC News reporter Jonathan Karl's book "Betrayal: The Final Act of the Trump

Show.

" "It's time to move on.

" Cohen told me that Flynn yelled so loudly that Cohen's wife could clearly hear it from the

passenger seat.

"You're a quitter!" Flynn berated him, as he had berated Herschmann.

"This is not over! Don't be a quitter!"

With Flynn's fleeting window of direct access to the president closed, he and Powell urged Representative Devin Nunes, a

Trump ally, to pursue a particularly hallucinatory rumor that the election results had been manipulated by an Italian defense

contractor . But a Nunes staff member found the lead to be meritless, according to someone with knowledge of the

A merchandise booth at the ReAwaken America event in Phoenix. Mark Peterson for The New York Times 2/1/24, 2:30 PM Michael Flynn Is Still at War - The New York Times

<https://www.nytimes.com/2022/02/04/magazine/michael-flynn-2020-election.html> 4/13 discussions. Flynn's attempts to reach the director of national intelligence, John Ratcliffe, were blocked by the White House

chief of staff, Mark Meadows, according to a government official who was privy to these efforts.

It was a stunning near miss for American democracy. But after more than a month of furious machinations, Flynn seemed to have at last exhausted his options. He would later lament to a right-wing podcaster , a fellow retired general and conspiracy theorist named Paul Vallely, that "in the final days of the administration, there was a lot of decisions that could have been made.

" Flynn had been boxed out, he claimed, by "a team that wanted to kind of, 'Let's get past this; let's get rid of this guy Trump.

""

A day after the riot at the Capitol on Jan. 6, the conservative Washington Examiner published an article suggesting that the intelligence community had delayed the publication of a report outlining China's attempts to influence the 2020 election (though the Office of the Director of National Intelligence categorically dismissed the claim that China played any role in altering the vote totals). Flynn texted a link to the article to an associate with a bitter accompanying note: "Ratcliffe should be ashamed of himself as well as Trump for not demanding this report be made public over a month ago.

"

On a Friday evening this January, Flynn took the stage at Dream City Church in Phoenix, the latest stop of the ReAwaken America conference: a right-wing road show that combines elements of a tent revival, a trade fair and a sci-fi convention.

Flynn, the featured speaker , was wearing a palm-tree-print blazer over a T-shirt and jeans. He began by leading a round of stretching exercises.

"You're the tough crowd, because you're the ones who hung in there all day," Flynn said to the audience of perhaps a thousand.

The crowd had thinned considerably from a peak of 3,500. Those who remained had listened for nine hours to a procession of

speakers, including Eric Trump; Mike Lindell, the MyPillow chief executive; the young conservative activist Charlie Kirk from Turning Point USA; and, just before Flynn, a New Jersey gym owner who was banned from American Airlines after refusing to wear a mask on a flight. After hours of apocalyptic pronouncements — coronavirus vaccines described by one speaker as “poison death shots,” the Biden administration by another as “worshippers of Satan” — his musings about the 2020 election seemed bland by comparison. Flynn insisted that the election was rigged against Trump and that the failure to remedy it constituted “a moment of crisis” for America. He labeled the election system “totally broken,” Democrats “socialists” and establishment Republicans “RINOs” (Republicans in Name Only). But, Flynn said, “people at the county level have the ability to change this country.” Elected county commissioners could write more restrictive voting laws. Elected sheriffs could enforce those laws. “Not everybody can be a Washington, D.C., superstar,” Flynn reminded the crowd. “Not everybody can be a Joan of Arc.”

Flynn did not explicitly compare himself to the canonized martyr of the Hundred Years’ War. He did not have to. At this gathering and across the right-wing ecosystem, the story of Flynn’s victimization by a diabolical “deep state” and the news media is practically a matter of scripture. “Look at what they did to the general,” Eric Trump told the crowd earlier that afternoon, with Flynn standing onstage beside him. Warning the audience that “they want to take you down criminally,”

Trump then pointed to the human evidence standing to his left: “They did it to him.”

‘If you think of the classic case studies in how radicalization occurs, it all happened with Mike Flynn.’

One year since Trump’s departure from office, his Make America Great Again movement has reconstituted itself as a kind of shape-shifting but increasingly robust parallel political universe, one that holds significant sway over the Republican Party but is also beyond its control. It includes MAGA-centric media outlets like One America News, Right Side Broadcasting and

Real America's Voice; well-attended events like the ReAwaken America Tour , which has also touched down in California, Texas, Oklahoma, Colorado, Michigan and Florida; its own personalities and merchandise; and above all, its shared

catechism — central to which is the false claim that Trump was the legitimate victor in 2020.2/1/24, 2:30 PM Michael Flynn Is Still at War - The New York Times

<https://www.nytimes.com/2022/02/04/magazine/michael-flynn-2020-election.html> 5/13

In this world, Flynn is probably the single greatest draw besides Trump himself. The ReAwaken America Tour organizer ,

Clay Clark, a 41-year-old Tulsa-based entrepreneur and anti-vaccine activist, has featured him in eight engagements across the United States over the past year .

"I view it as an honor to pay him to speak at our events,

" Clark told me, adding that a

nondisclosure agreement prohibited him from revealing Flynn's fee. At the Phoenix event, two nonprofit organizations Flynn

helps lead, America's Future and the America Project, had separate booths. America's Future offered \$99 annual

memberships as well as T-shirts and other merchandise.

All of this is bewildering to some of those who knew Flynn in his former life, as a celebrated intelligence officer in the Iraq

and Afghanistan wars, and watched his spectacular fall from grace with bafflement and regret. It is as if Flynn has managed

to burrow his way from a Beltway graveyard into a subterranean afterlife, where he has been welcomed by a Trumpian

demimonde that deified him at first sight.

Flynn possesses unique credibility among the ex-president's followers, with his own compelling story line: that of a

distinguished intelligence official who, he claims, experienced firsthand the nefariousness of the deep state. He is a MAGA

martyr of such stature that the faithful have been willing to overlook some complicating elements of history. There is the fact

that Trump fired Flynn from his post as national security adviser for the same lie that led to his indictment by the Justice

Department, and the fact that Flynn, after pleading guilty, spent 2018 cooperating with the Justice Department investigation

of other Trumpworld figures. In the right's transfigured portrayal of Flynn,

"America's general" was at most guilty of being a

conservative who dared to accuse Obama of being soft on Islamic extremists, who dared to chant "lock her up" about the

Democratic presidential candidate Hillary Clinton — and who dared to ally himself with Donald Trump at a moment when

doing so, for a retired military figure of his stature, was still deeply taboo. That an American three-star general had faced

such persecution — that, as Eric Trump said, “they did it to him” — meant, by extension, that no conservative patriot was safe.

In the year since Flynn sought to enlist the military in overturning the election, he has continued to fight the same battle by other means. He has been a key figure in spreading the gospel of the stolen election. Speaking at a rally in Washington on Jan. 5 of last year, the night before the Trump faithful stormed the Capitol, he declared that “everybody in this country knows who won” on Election Day and claimed without evidence that more dead people had voted in the election in some states than were buried on famous Civil War battlefields.

In November, the House of Representatives’ Jan. 6 committee issued a subpoena to Flynn ordering him to testify, noting his reported presence at the Dec. 18 Oval Office meeting. In his speech the night before the Capitol riot, Flynn pledged:

“Tomorrow, we the people are going to be here, and we want you to know that we will not stand for a lie.

” The same day,

Flynn was photographed with the longtime Trump adviser Roger Stone at the Willard Hotel, where several of the president’s

loyalists had assembled. Flynn was also seen that evening down the street from the Willard at the Trump International

Hotel, where other Trump advisers and family members had gathered and where Byrne had paid for Flynn’s lodging.

Flynn has sued to block the subpoena; his attorney, David Warrington, said in a statement,

“General Flynn did not organize

or speak at any of the events on Jan. 6, and like most Americans, he watched the events at the Capitol unfold on television.

”

But the committee’s interest has both reflected and fueled a suspicion that Flynn is something more than a MAGA circuit

rider. In addition to his role in the Dec. 18 meeting, Flynn is set apart by the 33 years he spent in the military establishment

and the intelligence community, and by his persistent connections to that world. His brother Lt. Gen. Charles A. Flynn was

an Army deputy chief of staff when rioters overtook the Capitol and took part in a phone call that day about whether to bring

in the National Guard to assist the overwhelmed Capitol Police force. (Charles Flynn later denied to reporters that his

brother’s views influenced the military’s response to Jan. 6.) Flynn’s suggestion at a conference last May that a Myanmar-

style military coup “should happen” in the United States led Representative Elaine Luria, a moderate Democrat from Virginia and former Navy commander , to argue that Flynn should be tried for sedition under the Uniform Code of Military Justice.

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Flynn has denied calling for a coup. He did not respond to a detailed request for comment for this article. In Phoenix, he

described his motive for his ongoing activities as the patriotic urge to “stand here and fight for this country” and alluded to

the scandal and financial ruin that followed for his family.

“What we experienced was unbelievable,

” he said.

His war against the federal government is all the more dangerous because it’s personal.

“If you think of the classic case

studies in how radicalization occurs, it all happened with Mike Flynn,

” a fellow military veteran who later did business with

Flynn observed.

“You’re vilified. Your family’s ostracized. You don’t see any hope economically. This is how to make an

extremist.

”

Long before his descent into election conspiracism, Flynn was known for his unorthodox information-gathering methods.

Those who worked with him at the Joint Special Operations Command, where he arrived in 2004, and his later posting in

Afghanistan, where he was the top intelligence officer for the coalition commander , Gen. Stanley McChrystal, recalled his

approach as obsessive, omnivorous, high-velocity.

“He was incredibly rapid,

” one of his colleagues in Afghanistan recalled.

“He’d take in intelligence from unusual sources, from the grass roots”

— coalition soldiers in far-flung units —

“and from open-source, not relying on signals. And he ran

things in a very horizontal fashion. When you sent in a report, his first instinct was,

‘Who needs to see this?’ And he’d put 30

people on the email chain. It was interesting to see someone function not according to the usual rules.

”

Former colleagues recall Flynn reviewing reports at his desk late into the night, a half-eaten plate of tater tots beside him.

His tenacity seemed to be exactly what the U.S. military effort needed. By 2004, it was clear to everyone on the ground in

Iraq that one year after the invasion, U.S. troops remained at pains to understand who the enemy was, much less to defeat it.

Flynn's team closed the information gap in a hurry.

But Flynn's intelligence-gathering operation was invariably chaotic, embodied by the general himself — who, the former

Afghanistan colleague said,

“would contradict himself three or four times over a 10-minute period.

” His determination to get

actionable intelligence into the right hands also led him to defy protocol on occasion, as when a colleague saw Flynn sharing

classified information on his computer with a Dutch officer in 2009. Around the same time, according to a Washington Post

account, Flynn also shared sensitive intelligence with Pakistani officials, for which he was reprimanded by the Pentagon's

top intelligence official at the time, James Clapper .

Flynn's discernment as an intelligence analyst also left something to be desired,

recalled one former military intelligence

officer who worked with him: “During the interrogations at Abu Ghraib, you just couldn't explain to him that ‘Look, a lot of

these guys that were taken off the battlefield just don't know anything. And they're all not interconnected.

’ And he'd be like,

‘There's got to be some connection that we're not making.

’ And we'd be like,

‘No, it's just not there.

” Still, Flynn's teams

provided intelligence on the whereabouts and capabilities of Iraqi and Afghan militants of such value to America's war-

fighting efforts in both countries that his problematic tendencies were largely overlooked at the time.

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In his book,

“The Field of Fight,

” Flynn describes how, after the Sept. 11 attacks, he came to believe that radical Islam was an

organized global project to destroy the West, akin to the Soviet Union's designs on the developing world during the Cold War

(which Flynn experienced firsthand as a young Army lieutenant participating in the U.S. invasion of Communist-controlled Grenada in 1983). By family tradition, Flynn, the working-class son of an Army sergeant from Rhode Island, was a registered Democrat. But he also regarded the left as useful idiots in the radical Islamists' plans, if not outright accomplices. While in Afghanistan, he disdainfully opined to a colleague that Obama wanted to "remake American society."

His misgivings about the president became personal in June 2010, when Obama fired McChrystal, Flynn's mentor, after a Rolling Stone article quoted McChrystal's team mocking members of the Obama administration. Six years later, Flynn would say in "The Field of Fight" that McChrystal's "maltreatment is still hard for me to digest."

Still, Flynn's service under McChrystal had garnered significant admiration in Washington, and Clapper, who by this point was serving as the director of national intelligence, brought Flynn to work at the O.D.N.I. in 2011. A year later, Flynn became the new director of the D.I.A. On paper, bringing in the top intelligence officer in Iraq and Afghanistan made perfect sense. On the other hand, Flynn's experience as the supervisor of a small operation would not readily scale to an organization of 17,000 employees within a top-heavy and doctrinaire intelligence bureaucracy. One former senior intelligence official recalled trying to warn Flynn that running a large agency required different management techniques from those to which he was accustomed. Flynn, undeterred, wasted little time upending the D.I.A. He shuffled the responsibilities of the agency's senior executives and made significant structural changes to the Defense Clandestine Service in defiance of the instruction of his Pentagon superiors. He often ignored his civilian chain of command, according to one of his subordinates. Woven into the mythology of Flynn's martyrdom is that his dire warnings about the growing threat of Islamic extremism were what ultimately cost him his job at the D.I.A. In "The Field of Fight," he claimed to have been given his walking papers in February 2014 "after telling a congressional committee that we were not as safe as we had been a few years back." In fact, the only evidence I could find of Flynn saying anything along these lines was his remarks to an audience at the Aspen Institute fully five months after being asked for his resignation by James Clapper and Michael Vickers, the under secretary

of defense for intelligence, not Obama.

"President Obama wouldn't have known Flynn if he'd fallen over him,

" Clapper told

me.

"We told Susan Rice"

— Obama's national security adviser —

"what we'd done after the fact.

" Their reasons for ending

Flynn's tenure, he added, included insubordination and erosion of morale at the agency.

Clapper termed Flynn's fired-for-

telling-the-truth narrative "baloney.

"

Flynn onstage with Eric Trump in Phoenix. Mark Peterson for The New York

Times2/1/24, 2:30 PM Michael Flynn Is Still at War - The New York Times

<https://www.nytimes.com/2022/02/04/magazine/michael-flynn-2020-election.html> 8/13

Flynn was permitted to retire with the full benefits accorded a three-star general. His

retirement ceremony on Aug. 7, 2014

was well attended. He bought a three-bedroom house in the Old Town neighborhood of

Alexandria, Va., and set up a

consulting shop, Flynn Intel Group, in an office overlooking the Potomac River . And he

began venturing into politics. Six

months after his retirement, he went on "Fox News Sunday" to criticize the Obama

administration's terrorist-fighting

"passivity.

" A string of further appearances on the network followed. Flynn also began consulting

with Republican

presidential contenders, including Carly Fiorina and Scott Walker .

But in the private sector , too, Flynn was reckless. His admirers were horrified to see

him form a partnership with Bijan Kian,

an Iranian American businessman who would later be indicted on charges of acting as

an unregistered agent of the Turkish

government (the case has not been resolved). Kian epitomized, in the words of a former

colleague,

"these guys in the D.C.

swamp who prey on generals fresh out of the military with no understanding of how the

business world works.

"

Even more concerning was Flynn's acceptance of more than \$45,000 for a speaking

appearance in Moscow, at the 10th

anniversary gala of Russia's state-run RT channel in December 2015, where he was

photographed sitting next to President

Vladimir Putin. Friends and at least one intelligence official advised Flynn against

attending the party to celebrate a Russian

propaganda organization that was at the time openly spreading misinformation about and within the United States and other NATO countries. Flynn assured them that he knew what he was doing. Trump did not find Flynn's views on Russia disqualifying in the least. By the time the candidate had wrapped up the Republican nomination, Flynn was his senior foreign-policy adviser — and, briefly, the only nonpolitician under consideration to be Trump's running mate, according to a former Trump campaign adviser . Like most of those in Trump's orbit, Flynn did not seem to be staking his career on a victory in November . Beginning in the final weeks of the campaign, Flynn's consulting firm accepted over a half-million dollars from a Dutch group with ties to President Recep Tayyip Erdogan of Turkey. On Election Day in 2016, The Hill published an op-ed by Flynn (in which he failed to disclose his consulting relationship) titled "Our Ally Turkey Is in Crisis and Needs Our Support."

Even for those conservatives who reject the most garish Trump-centric conspiracy theories, there is a tendency to view Flynn as a pawn in a chess match between Trump and federal officials who had reason to wonder if the new president sought help from the Russian government during his campaign. This is true to an extent, but Flynn had placed himself on the chessboard. He lied about discussing the Obama administration's sanctions on Russia with that country's ambassador to the United States, Sergey Kislyak, during the presidential transition — first to incoming Vice President Mike Pence, then to White House officials, then to the media and finally to two F.B.I. agents. One former senior intelligence official who reviewed the transcript of Flynn's conversation with Kislyak told me that he was struck by the "plain stupidity" of Flynn's lies — knowing that Trump's campaign was already drawing scrutiny for its contacts with Russia and knowing as well that any phone conversation with a Russian diplomat was likely to be recorded by U.S. intelligence agencies.

When Flynn resigned in February 2017, Trump did not pretend to be heartbroken by the loss. As one of Trump's senior advisers told me, Flynn "had no chemistry with Trump and didn't come across as a guy who had it together .

" But according to another adviser , the firing of Flynn constituted an early show of weakness in the eyes of the president's son-in-law and consigliere, Jared Kushner , who confided to this individual in 2020 that throwing Flynn to the wolves was "the biggest

mistake we ever made.

” (Kushner could not be reached for comment.)

The following December, Flynn struck a plea deal with the special counsel, Robert Mueller. Over the course of a year, Flynn sat for about 20 interviews and acknowledged, in private and later in court, that he had willfully not told the truth about the nature of his conversations with Kislyak. Though the summaries of these interviews suggest Flynn was far from expansive and at times evasive, Mueller’s team was clearly hopeful that Flynn’s experience would encourage others in Trump’s circle to come forward. The prosecutors indicated that they would not object to Flynn’s receiving no jail time.² 1/24, 2:30 PM Michael Flynn Is Still at War - The New York Times <https://www.nytimes.com/2022/02/04/magazine/michael-flynn-2020-election.html> 9/13 Still, Flynn was racking up immense legal fees and could not find work. In the spring of 2019, he decided to fire his attorneys and replace them with the Dallas-based lawyer Sidney Powell, his future partner in the crusade to overturn the 2020 election. Powell withdrew Flynn’s guilty plea and claimed that the prosecutors were withholding what she called a crucial report that, as it turned out, did not exist. In May 2020, Attorney General William Barr intervened and moved that the case against Flynn be dismissed. A federal judge was still weighing whether to accept Barr’s recommendation when Trump rendered the matter moot by issuing his pardon on Nov. 25. Less than a month after receiving his pardon, Flynn was face to face with the man who had given it to him, presenting what Byrne called the “beautiful operational plan” for deploying the military to six contested states. When both the White House and Ezra Cohen declined to enact this plan, Flynn continued to hype fraud conspiracy theories — and intended to do the same in a speech at Trump’s rally on the morning of Jan. 6, until he was informed at the last minute that his and Byrne’s slots had been canceled. Byrne wrote that “Flynn and I sunk into our seats in despair” in the V.I.P. section throughout the program. They had hoped the president would make an evidentiary case for there having been an election-fraud conspiracy, but he had done nothing of the sort. According to Byrne’s account in his self-published book “The Deep Rig,” the two men repeatedly said to each other: “He does not get that it is not about him. He put on a [expletive] pep rally.” They returned to their hotel, hurriedly packed their bags and did not follow the throng to the Capitol, Byrne wrote. Like several other Trump allies, Flynn refused to testify as scheduled before the Jan. 6 Committee in December and sued to

block its subpoena of his phone records. Flynn's defiance of the committee fuels suspicions in some corners that Flynn has something to hide — though his reticence would also be in keeping with someone who insists an election was stolen by the crowd at the ReAwaken America event in Phoenix. Mark Peterson for The New York Times 2/1/24, 2:30 PM Michael Flynn Is Still at War - The New York Times <https://www.nytimes.com/2022/02/04/magazine/michael-flynn-2020-election.html> 10/13 same deep-state operatives who engineered his dismissal from the White House five years ago.

"They did a masterful job of getting rid of me early on, because they knew exactly what I was going to do," Flynn told Paul Valley on a podcast in November .

In September , I was attending a rally near the Capitol in support of those facing charges in the Jan. 6 riot when a short, muscular man with a shaved head approached me. He wore a T-shirt with Flynn's face on it. Noticing my press badge, he held his iPhone up to my face and demanded to know: "Why aren't you guys reporting on the 12th Amendment that's going to potentially be triggered after Arizona, Georgia and Wisconsin nullify their electors?" I tried to explain that I was not writing about the election, but the man continued to talk. The next morning, I learned that a video of the encounter had been posted on the man's Telegram account. His name was Ivan Raiklin, and he was a former Green Beret and lawyer .

Raiklin has often emphasized his dealings with Flynn. When he briefly tried to run for the U.S. Senate in Virginia in 2018, Raiklin was endorsed by Flynn's son Michael Flynn Jr ., and he sat in the federal courtroom next to Sidney Powell during the elder Flynn's hearing that December; Flynn has been photographed with Raiklin elsewhere and once described him on Twitter as "a true American patriot."

Beyond that, Flynn has never confirmed their relationship, and Flynn's brother Joe Flynn, in a brief statement on behalf of their family, said, "We do not have any association with Ivan Raiklin."

'He kept referring back to Mike Flynn as this linchpin and cog.

Raiklin is one of a cohort of military-intelligence and law-enforcement veterans who have found or at least claimed places in Flynn's general orbit since the 2020 election and are engaged in ongoing efforts to relitigate its results. Others include Seth Keshel and Jim Penrose from the group that gathered at Lin Wood's estate that November; Phil Waldron; Thomas Speciale,

the leader of the group Vets for Trump, who worked at the D.I.A. during Flynn's directorship and has provided security for Flynn; and Robert Patrick Lewis and the former Michigan police officer Geoffrey Flohr of the First Amendment Praetorian, a right-wing paramilitary outfit that has provided security for Flynn and others more than once at Flynn's behest.

Several of these men were present at the Capitol on Jan. 6, though in what capacity, and to what end, is still unclear. Flohr can be seen in video footage on the grounds near the west side of the Capitol talking on his cellphone just before the attack, though it is not known if he entered the building. Speciale was also on the west side of the building that afternoon, though he maintains that he never entered. Raiklin, too, was at the Capitol but insists he did not go inside the building.

What is less ambiguous is the role that some of these figures have played in the effort to reverse 2020's outcome by other means. Since the election, Trump's claims of thwarted victory have given rise to a wave of state-level organizing aimed at using legislatures and other levers of power to audit the 2020 election results, on the theory that they will void enough Electoral College votes to force a rerun of the election. Although the handful of state and local audits that activists and Republican lawmakers have managed to set in motion — most significantly in Arizona — have in no cases changed the election results, it remains an area of fervent activity, in which Flynn's name is regularly invoked.

In November in New Hampshire, I attended an "election-security seminar," presented by an organization called the New Hampshire Voter Integrity Group. The conference room was standing room only. The speakers included a state representative, a Republican candidate for Congress and Seth Keshel, who argued that their foremost mission should be "the remediation of the 2020 election."

The final speaker was Ivan Raiklin. In his hypercaffeinated cadence, Raiklin devoted his talk to enumerating the supposed conspirators whose ongoing presence helped explain "why we haven't remedied 2020 yet."

Those forces, he said, included the F.B.I., the Bushes, Chief Justice John G. Roberts Jr., former Vice President Mike Pence and former Vice President Dick Cheney. This was the deep state that Trump was up against, Raiklin said. 2/1/24, 2:30 PM Michael Flynn Is Still at War - The New York Times <https://www.nytimes.com/2022/02/04/magazine/michael-flynn-2020-election.html> 11/13

And, he added,
“who’s the first person of any stature whatsoever who has any credibility, other than within his family and the Trump Organization, that comes in and bats for him? This is important. This is the most important thing. Say it louder:

General Flynn.

” Flynn and Trump’s independence was a threat to the deep state, Raiklin insisted, which led to Flynn’s indictment and Trump’s defeat.

“The reason why a million people showed up on Jan. 6,

” he said, was that “they know bits and pieces of the story. And they knew that something had to be called out publicly.
”

The same month as the New Hampshire event, the Jan. 6 committee heard testimony from a Republican candidate for the U.S. Senate in Pennsylvania named Everett Stern, who has said he was approached last April by two associates of Raiklin at a Republican gathering in Berks County. Stern, who owns a private intelligence firm, told me that the associates wanted to enlist his help in persuading high-ranking Republican officials in Pennsylvania to support an audit in that state. When Stern asked whom they were working with, one of them replied,
“General Flynn.
”

Later , Stern said, Raiklin communicated directly with him through text messages to find out more about his professional and personal life. After this vetting, Stern says that he was tasked with finding unflattering information about a particular Republican congressman so he could be “pushed” toward supporting an audit. Stern says he was also set up to meet personally with Flynn in Dallas in mid-June. By this time, however , Stern had reported his communications to the F .B.I. and was afraid of his legal exposure. He canceled at the last minute. Joe Flynn told me: “We do not have anything to do with what Everett Stern is alleging,
” adding,
“He’s nuts.

” Raiklin, too,

denied to me that he helped recruit Stern to pressure elected officials into supporting a 2020 election audit. But I heard a similar story from J.D. Maddox, a former C.I.A. branch chief who ran unsuccessfully for the Virginia House of Delegates last year . Maddox, who has not previously spoken publicly about his experience, told me that he was at a candidate meet-and-

greet in Arlington last May when he bumped into Raiklin. Raiklin again brought up the need for election audits — and suggested tactics far beyond lobbying legislators.

“If the Democrats don’t give us that,

” Maddox recalled him saying,

“then

violence is the next step.

”

Michael Flynn before the crowd in Phoenix. Mark Peterson for

The New York Times 2/1/24, 2:30 PM Michael Flynn Is Still at War - The New York Times

<https://www.nytimes.com/2022/02/04/magazine/michael-flynn-2020-election.html> 12/13

Raiklin proceeded into what Maddox described as “a wild, contortionist explanation of how they would reverse Biden’s election,

” involving a succession of state audits. First Arizona, then Georgia, then Wisconsin and then other state legislatures

would nullify the 2020 election results, he envisioned, until Biden’s victory margin would evaporate. Maddox told Raiklin he was skeptical.

“But he said he was certain it was going to happen,

” Maddox told me.

“And he kept referring back to Mike Flynn as this linchpin and cog.

”

“General Flynn is central to all this,

” Raiklin had similarly claimed in New Hampshire when I spoke with him briefly after his talk. He refused to elaborate, so what that meant, exactly, was hard to say. In the feverish activity that now attends the 2020

election on the right, it can be difficult to distinguish conspiring from conspiracism — not least in Flynn’s own statements. In

an interview in late January with the right-wing conspiracy website Infowars, Flynn accused George Soros, Bill Gates and

others of creating the coronavirus so they could “steal an election” and “rule the world.

” In another interview, he floated the

rumor that “they” may be “putting the vaccine in salad dressing.

”

But the Capitol riot demonstrated how quickly such conspiracism could be converted into action. The belief that the 2020

election was stolen holds sway in the Republican Party as much now as it did then:

According to a YouGov poll in December ,

71 percent of all Republicans believe that Biden was not elected legitimately. The stolen-election myth has fused with a host

of other right-wing preoccupations — the coronavirus vaccines, critical race theory, border security — into a single crisis narrative, of which Flynn is both purveyor and protagonist: The deep state intends to break America as it tried to break

Flynn and the man he had the audacity to serve, Donald Trump.

At the ReAwaken America event in Phoenix, I visited a booth hawking art by a man named Michael Marrone. In addition to the usual hagiographic portraits of Trump in Revolutionary War garb, Marrone had several of Flynn and other hallowed figures in the original effort to overturn the election, like Lin Wood and Sidney Powell. One featured the general seated next to Powell, both in colonial attire, signing the Declaration of Independence. In another, Flynn stood jut-jawed and eagle-eyed, wielding a musket. A third, featuring him beside Trump on a battlefield, bore Flynn's autograph, next to the QAnon slogan WWG1WGA ("where we go one, we go all").

In real life, the bonds among this band had started to fray. Wood and Flynn endorsed different Republican candidates for governor of Georgia, a state that has become central to the right-wing efforts to overturn the 2020 results and assert partisan control over future elections. Their estrangement deepened and eventually became public when Wood posted text messages and snippets of a phone conversation on the social media app Telegram. In one of them, Flynn expressed his belief that Trump had "quit" on America.

When I spoke with Wood in December, he told me that he had begun to reappraise the general. For so long Flynn's partner in conspiracism, he had lately begun to wonder if Flynn himself might not be what he seemed. He told me about attending a Bikers for Trump rally in South Carolina last May, where Flynn led the crowd in the Pledge of Allegiance, only to fall silent momentarily during the line "and to the Republic for which it stands."

At the time,

"I tried to defend him,

" Wood said.

"Now I

don't know. Who forgets the Pledge of Allegiance? Draw your own conclusions. It's troublesome.

"

It occurred to me that this, one way or another, was probably Flynn's life for the foreseeable future: The prospect of a normal retirement long gone, he now belonged to a MAGA storybook world of heroes and villains and nothing in between. That world "is filled with strong personalities, which is a complication in any movement,

” said J.D. Rucker , a conservative podcaster who is acquainted with and admires Flynn.

“When you’re fighting for a cause, you’re also fighting for a spotlight within that cause. The left is less susceptible to this — whether because they have a more collectivist view or because they’re not as capitalistic, I don’t know.

”

“It’s a challenge to call out a grifter ,

” Rucker mused,

“because usually they have a very passionate, cultlike following. And sometimes we get this situation where we have these multiple grifters going after each other . It’s entertaining, but it’s also dangerous for everybody involved.

”

Robert Draper is a contributing writer for the magazine. He is the author of several books, most recently “T o Start a War: How the Bush Administration T ook America Into Iraq,

” which was excerpted in the magazine.2/1/24, 2:30 PM Michael Flynn Is Still at War - The New York Times

<https://www.nytimes.com/2022/02/04/magazine/michael-flynn-2020-election.html>

EXHIBIT Q



EXHIBIT R

